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JOURNAL

OF

THE SENATE

OF THE

STATE OF GEORGIA,

AT THE ANNUAL SESSION

OF THE

GENERAL ASSEMBLY,

BEGUN AND HELD IN MILLEDGEVILLE, THE SEAT OF GOVERN-  
MENT, IN

1861.

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BOUGHTON, NISBET & BARNES, STATE PRINTERS.  
MILLEDGEVILLE, GA.

1861.

From the sixth Senatorial District, the Hon. T. B. Griffin.

From the seventh Senatorial District, the Hon. J. L. Seward.

From the eighth Senatorial District, the Hon. T. A. Swearingen.

From the ninth Senatorial District, the Hon. S. S. Stafford.

From the tenth Senatorial District, the Hon. D. A. Vason.

From the eleventh Senatorial District, the Hon. O. P. Anthony.

From the twelfth Senatorial District, the Hon. James Hilliard.

From the thirteenth Senatorial District, the Hon. T. M. Furlow.

From the fourteenth Senatorial District, the Hon. D. J. Bothwell.

From the fifteenth Senatorial District, the Hon. John McRae.

From the sixteenth Senatorial District, the Hon. John B. Wright.

From the seventeenth Senatorial District, the Hon. J. T. Shewmake.

From the eighteenth Senatorial District, the Hon. William Gibson.

From the nineteenth Senatorial District, the Hon. Miles W. Lewis.

From the twentieth Senatorial District, the Hon. B. T. Harris.

From the twenty-first Senatorial District, the Hon. D. N. Smith.

From the twenty-second Senatorial District, the Hon. G. A. Winn.

From the twenty-third Senatorial District, the Hon. S. D. Killen.

From the twenty-fourth Senatorial District, the Hon. W. M. Brown.

From the twenty-fifth Senatorial District, the Hon. J. B. Kendall.

From the twenty-sixth Senatorial District, the Hon. William Moseley.

From the twenty-seventh Senatorial District, the Hon. John Billups.

From the twenty-eighth Senatorial District, the Hon. G. R. Dyer.

From the twenty-ninth Senatorial District, the Hon. L. M. Hill.

From the thirtieth Senatorial District, the Hon. J. H. Echols.

From the thirty-second Senatorial District, the Hon. Wier Boyd.

From the thirty-third Senatorial District, the Hon. Samuel Stephens.

From the thirty-fourth Senatorial District, the Hon. S. F. Alexander.

From the thirty-fifth Senatorial District, the Hon. A. J. Hansell.

From the thirty-sixth Senatorial District, the Hon. J. H. Gaston.

From the thirty-seventh Senatorial District, the Hon. W. P. Beasley.

From the thirty-eighth Senatorial District, the Hon. J. M. Ware.

From thirty-ninth Senatorial District, the Hon. H. P. Bell.

From the fortieth Senatorial District, the Hon. S. Y. Jamison.

From the forty-first Senatorial District, the Hon. James Simmons.

From the forty-second Senatorial District, the Hon. D. R. Mitchell.

From the forty third Senatorial District, the Hon. J. M. Jackson.

From the forty-fourth Senatorial District, the Hon. R. A. Lane.

On motion the Senate proceeded to the election of a President, and on taking the vote *viva voce*, it appeared that the Hon. John Billups, of the twenty-seventh Senatorial District, was duly elected.

On motion of Mr. Seward, a committee, consisting of Messrs. Seward, Vason, and Brown, was appointed to notify him of his election, and conduct him to the Chair.

The President elect on taking the Chair, addressed the Senate, and returned his acknowledgements for the honor conferred upon him.

On motion the Senate proceeded to the election of a Secretary, when, on receiving and counting out the ballots, it appeared that James M. Mobley, Esq., of the County of Harris, was duly elected, appeared, was sworn, and took his seat.

The Assistant Secretary, H. M. Moore, was sworn by the President of the Senate.

On motion the Senate then proceeded to the election of a Messenger, when, on receiving and counting out the ballots, it appeared that L. S. Stewart, of the County of Hancock, was duly elected.



On motion the Senate then proceeded to the election of a Door Keeper, when, on receiving and counting out the ballots, it appeared that T. R. Christian, of the County of Whitfield, was duly elected.

On motion of Mr. Hansell, the rules of the last Senate were adopted for the temporary government of the present Senate and one hundred copies ordered to be printed for the use of the Senate.

Mr. Smith offered the following resolution :

Whereas by the revised Constitution of this State there has been a great reduction in the number of members of the Senate, and by other provisions of said constitution, the labor of the Clerks of this body will be greatly diminished,

Be it therefore resolved, As the sense of the Senate that no more or other clerkships shall be recognized or paid than the following: A Secretary, a Reading Clerk, a Journalizing Clerk, an Engrossing and an Enroling Clerk.

On motion the Secretary was directed to inform the House that the Senate was organized and ready to proceed to business.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have organized by electing the Hon. Warren Akin, of the county of Cass, as their Speaker and L. Carrington, of the county of Baldwin, as their Clerk, Jesse Oslin, of the county of Cobb, as their Messenger, and B. H. Mitchell, of the county of Coweta, as their Door-Keeper, and that they are now ready to proceed to business.

On motion of Mr. Hansell a committee of three consisting of Messrs. Hansell, Moseley and Boyd was appointed to request the ministers of the Gospel of the city of Milledgeville to officiate as Chaplains of the Senate during the present session.

On motion of Mr. Brown, a committee of three consisting of Messrs. Brown, Furlow and Lewis was appointed to join a similar committee of the House and inform His Excellency, the Governor, that both branches of the General Assembly are now organized and ready to receive any communication he may have to make.

Mr. Brown, chairman of the committee appointed to wait upon His Excellency, the Governor, reported that they had discharged the duty assigned them, and that His Excellency



cy, the Governor, would communicate a message to both branches of the General Assembly this day at 3 o'clock.

On motion the Senate then adjourned until 3 o'clock, P. M.

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THREE O'CLOCK, P. M.

Senate met according to adjournment.

The following message was received from His Excellency, the Governor, by Mr. Waters, his Secretary, to-wit:

*Mr. President:* I am directed by His Excellency, the Governor, to deliver to the Senate his Annual Message and accompanying documents.

On motion the Annual Message of His Excellency, the Governor, was taken up and read, as follows:

# GOVERNOR'S MESSAGE.

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EXECUTIVE DEPARTMENT, }  
MILLEDGEVILLE, GA., Nov. 6, 1861. }

*Fellow-Citizens of the Senate  
and House of Representatives :*

Prior to the Revolution of 1776, our State and the other Atlantic States of this Continent, were Colonies of the British Government, created by it and subject to its control.—The people then had only such civil rights as were recognized by the Parliament of Great Britain, while the Colonies neither possessed nor claimed inherent sovereignty.

The inhabitants, mostly of British origin, were attached to the Crown, and were in the enjoyment of prosperity and happiness, till the government conceived the plan of enriching and aggrandizing itself by imposing onerous and oppressive burdens upon the Colonies. The people remonstrated against these aggressions in the most respectful manner, giving assurances of their loyalty and petitioning for a redress of grievances. Their petitions were disregarded and their natural rights trampled upon by an unwise and ambitious ministry.

Finally, when it was ascertained that their own government had ceased to be their protector and had become their oppressor, and that the only alternative left was submission or resistance to tyranny, they threw off the yoke and boldly defied the power of the British Crown. The Representatives of the people met in Convention, and appealing to the God of the universe for the rectitude of their intentions and humbly and fervently invoking His assistance in the mighty conflict in which they were about to engage, declared that the Colonies were, and of right ought to be free, Sovereign and Independent States. An attempt was then made by force of arms to coerce the Colonies back into a union with the British Government. In this conflict the disparity of physical strength was fearful. The Government of Great Britain was a power of the first magnitude, possessing large fleets and armies, thoroughly equipped and armed with the best military weapons of the age. The Colonies were without fleets or armies, numbering but three millions of people, badly trained, almost destitute of

arms or military equipments, relying alone, under the blessing of Heaven, upon their stout hearts and strong arms and the inherent justice of their cause. The war was long and bloody. The world knows the result.

#### STATE RIGHTS.

Soon after the achievement of our independence, the great and good men who conducted the revolution, met in Convention and entered upon the work of forming a Constitution, and establishing the government upon a permanent basis. In that convention it was discovered that great diversity of opinion existed, as to the proper form of the permanent government. Some very able and influential persons favored the plan of a limited monarchy, similar to that of Great Britain, or some other strong government which would consolidate the sovereignty of the States in the empire, and place the supreme power in the hands of the few. Many, who did not aspire to the throne in case of the establishment of monarchy, no doubt, looked for positions as ministers at court, or for dukedoms and other grades of noble hereditary distinction that would elevate them and their posterity to permanent ruling positions above the great mass of their fellow-citizens. This class of persons opposed the great doctrine of *State Rights* and sought to divest the States of their sovereignty, and virtually to convert them into mere provinces of a consolidated central power. The doctrines of this class of statesmen were, however, successfully combated in the convention by the great champions of the doctrine of *State Sovereignty*, who succeeded in procuring the sanction of the convention to a constitution, which, while it delegated to the general government such attributes of sovereignty as were necessary to conduct the foreign affairs of a confederation of States, and to regulate such internal affairs between the States necessary to the good of the whole as were beyond the control of a single State confederated with sister States, reserved to each State its inherent sovereignty, with power to exercise all its attributes except such as were expressly granted to the general Government, or such as were necessary to carry into effect the delegated powers.

After the adoption of the Constitution, a conflict again arose between the two classes of statesmen above mentioned. The one class, headed by the great statesmen of Virginia, contended that the federal government should, in practice, be confined to the exercise of the powers delegated to it by the Constitution, leaving to the States the exercise of all their reserved powers. The other class, headed chiefly by Northern statesmen, attempted, by a latitudinarian construction of the Constitution, to accomplish indirectly what they had failed to secure directly, and to consolidate the government by the assumption, in prac-



tice, of powers not delegated by the States. The conflict has lasted through a long series of years, and the fortunes of the two classes of statesmen at different times and under different names, have been as various as the ebbs and floods of popular sentiment under different influences and controlled by different interests, have been unstable. The statesmen of the original federal school, have, however, with the assistance of the tariff laws, navigation acts, fishery laws, and other legislation intended to build up and foster Northern interests at the expense of Southern industry, succeeded in directing the Northern mind into the consolidation channel. By the instrumentality of these laws, the government of the United States has poured the wealth of the productive South into the lap of the bleak and sterile North, and the people of the ice-clad hills of New England have grown rich and haughty upon the tribute which they have levied on the productions of the sunny South. The result has very naturally been, that they have learned to look up to the government which taxed our industry for their advantage and enriched them at our expense, as the great dispenser of all benefits; and they have sought to strengthen its hands and enlarge its powers, by weakening the hands and diminishing the powers of the States. They were willing to consolidate the government, if the government would, in turn, enrich them. They have used the slavery question to excite the masses and to place in power such men as would administer the government for their benefit.

The people of the Southern States, who have been the sufferers under the operation of the federal government, which has drawn from them the incomes of their labor to enrich their Northern neighbors, have very naturally opposed the consolidation of all power at Washington and have maintained the doctrine of *State Rights* as their only security against the encroachments of haughty and unrestrained imperial power. They endured wrongs and submitted to injustice till their wrongs were no longer sufferable. They again and again warned the people of the Northern States of the consequences of further aggression.— Their warnings were unheeded and their remonstrances were met with renewed acts of injustice. Seeing that there was no further safety for them in the Confederacy, each one of eleven States in its separate capacity as an independent sovereign power, asserted its original rights by resuming all the attributes of its original sovereignty. The government of the United States, is now in fact a consolidated military despotism, and its Executive who claims and exercises the right to suspend the writ of Habeas Corpus and to imprison in chains or take the lives of the citizens of the States of that government at his pleasure, denies the sovereignty of

the States, contemns the doctrine of *State Rights*, claims that the States are as subject to the control of the federal government, (which is in fact their mere agent) as were the Colonies to the British Crown; and imitating the unwise and unjust policy of the British government in 1776, now attempts to coerce the eleven seceded States back into the Union, and by force of arms to subject them to the government and control of that despotism. To accomplish this wicked purpose and to secure our subjugation and degradation, he has made war upon us, blockaded our ports, and invaded our territory with large armies. In violation of every rule of modern warfare, he has permitted his soldiers to disregard the rights of private property and to inflict the most grievous wrongs upon unoffending women and children. By the assistance of the God of battles, we have met his hosts in the field, and against vast superiority of numbers and of preparation, we have repeatedly dispersed and driven them back with wild consternation and great slaughter. Still he persists in his wicked purpose of forcing upon us the choice between submission to tyranny and the vigorous prosecution of a protracted war. Our lives, our liberties, our wives, our children, our property, our all, are at stake in this contest. A gracious Providence has given us the resources in men, money and means, to live within ourselves and to maintain the war against the invader for a whole generation. But one alternative is left us and but one response can be given to the inquiry as to our future policy. That response is on the tongue of every freeman, it is felt from breast to breast, and heard from lip to lip, reverberating from the hill tops to the mountains and from the mountains to the vallies, *Victory over the invader, or death to the last man sooner than acknowledge that we are vanquished.*—The hearts of the whole people of the seceded States, are as the heart of one man, and that great heart beats responsive to the patriotic sentiment, that the enemy may exterminate us if he has the power, but conquer us, he never shall.

#### UNCONSTITUTIONAL LEGISLATION DANGEROUS TO STATE RIGHTS.

The Constitution formed by the Convention and since adopted by each of the eleven Confederate States, is the old Constitution of the United States, amended and improved in such particulars as the experience of three quarters of a century had shown to be necessary. Under this Constitution, the new government of the Confederate States is now in successful operation and is maintaining itself with great ability both in the Cabinet and in the field. The action of our Congress has been generally characterized by prudence, wisdom and forethought. While I take much



pleasure in making this statement and in yielding to the new government my hearty and cordial support, the candor, which I would exercise towards a friend, compels me to say, that in my judgment, two important acts passed by our Congress, are hard to reconcile with the plain letter and spirit of the Constitution.

The 16th item of the 8th section of the 1st article of the Constitution of the Confederate States, is in these words : "Congress shall have power" "To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States, *reserving to the States respectively, the appointment of the officers* and the authority of training the militia according to the discipline, prescribed by Congress." The first section of the act of the Congress of the Confederate States approved 8th May 1861, authorizes the president to accept the services of volunteers who may offer their services without regard to the place of enlistment. The second section of the act is in these words :

"That the volunteers so offering their services, may be accepted by the president, in companies to be organized by him into squadrons, battalions, or regiments. The President *shall appoint all field and staff officers*, but the Company officers shall be elected by the men composing the Company; and if accepted, the officers so elected shall be *commissioned by the President*."

The first section of the act approved 11th May 1861, is in these words :

"That the President be authorized to receive into service such companies, battalions or regiments, either mounted or on foot, as may tender themselves and he may require, *without the delay of a formal call upon the respective States*, to serve for such term as he may prescribe."

And part of the third section of said act is in these words :

"The President shall be authorized to *commission all officers entitled to commissions* of such volunteer forces as may be received under the provisions of this act."

The language of our Constitution is the same that is used in the Constitution of the United States, and it is believed that the term *Militia*, as there used when applied to troops, was always understood to be in contradistinction to the term *regular*. The Constitution gives to Congress the power to "raise and support armies." Under this authority our *regular army* is enlisted and its officers are appointed by the government under whose authority it is raised. In this case there is no restraint upon the power of Congress, and it may therefore confer upon the President the power to appoint all the officers. In the case of the *Militia*, which term includes Volunteers and other Military forces not embraced in the *regular army*, the same unrestrained power is



not granted. While the States have delegated to Congress the power of organizing, arming and disciplining the Militia, and of governing such part of them as may be employed in the service of the Confederacy, they have *expressly reserved* to themselves the *appointment of the officers*, and have therefore expressly denied to Congress the right to confer that power on the President or any other person. Notwithstanding the express reservation by the States of this power, the acts above referred to, authorize the President to accept the Volunteer Militia of the States independently of State authority and to commission every officer of a Regiment from a third Lieutenant to a Colonel. This act, by vesting in the President the power of *appointing the officers* of the Militia, which power the States have carefully and expressly reserved to themselves, enables him to control, independent of State authority the whole consolidated Military force of the Confederacy, including the Militia as well as the regulars. If this practice is acquiesced in, the Confederate government, which has the control of the purse, with the power to tax the people of the States to any extent at its pleasure, also acquires the supreme control of the Military force of the States, and with both the sword and the purse in its own hands may become the uncontrollable master instead of the useful servant of the States.

I am not aware of any case in which the Government of the United States prior to its disruption, ever claimed or exercised the power to accept volunteer troops, commission their officers and order them into service, without consulting the Executive authority of the State from which they were received. The idea does not seem ever to have occurred to President Lincoln, so long as he held himself bound by any constitutional restraints, that he had any power to accept troops from the border States to assist in coercing us into obedience, without the prior consent of the Executives of those States. Hence he made his call upon them for troops and met a repulse that turned the tide of popular sentiment in our favor in most of those States and redounded greatly to the salvation of the South. During the war of 1812, when Massachusetts refused to send her troops out of the State, the plea of *necessity* might have been set up by Mr. Madison, as a justification to some extent, for such an encroachment, but neither he, who had participated so largely in the formation of the Constitution, nor the Congress in that day seemed to have felt justified even by necessity in adopting any such measure. In the present instance, the plea of necessity could not be set up, as it will not be pretended that the Executive of any State in the Confederacy, had refused to respond promptly to each and every call made upon him for troops. Even

now, I believe it may be truly said, that the number required in each and every case of each and every Executive, has been promptly furnished.

These acts have also been very inconvenient in practice. The Secretary of War has frequently made requisition upon me as the Governor of this State for troops; these I have promptly furnished. Thirty Regiments and three Battalions of State troops have gone into the service of the Confederacy. Of this number twenty-one Regiments and three Battalions have been armed, accoutred and equipped by the State. We now have accepted and nearly all in the field of *State troops*, not in Confederate service, seven Regiments and three Battalions, which with the help of the country arms in use, are being fully armed, equipped and accoutred by the State. We also have in service from Georgia ten Regiments, which have been accepted by the President independent of State authority, making thirty-seven Regiments and six Battalions of State troops, and ten Regiments of independent or Confederate troops. Counting two Battalions as a Regiment, Georgia has therefore in service fifty Regiments, forty of State troops and ten independent. Including a few country arms she has armed, accoutred and equipped thirty of these Regiments. On several occasions, after I have put companies under orders for the purpose of filling requisitions made upon me, I have learned that these companies had previously left the State without my knowledge, which caused delay growing out of the necessity of ordering in other companies to fill their places. So long as there are two recognized military heads in the State, each having the power to order out the Militia without informing the other of the companies ordered by him, conflict and confusion must be the inevitable result. Again, as these independent Regiments receive their commissions from the President, and leave the State without official notice to the Executive, there is no record in Georgia which gives the names of the officers or privates or shows that they are in service from the State. The only knowledge which the Executive has of their being in service, is such as he derives from the newspapers or other channels of information common to any private citizen of the State.

But I fear that these acts may, in the end, entail upon us or our posterity a greater misfortune than the mere practical confusion and inconvenience growing out of them. As I have before remarked, they give to the President the control of the Militia of the States and the appointment of the officers to command them, without the consent of the States. This is an imperial power, which in the hands of an able, fearless popular leader, if backed by a subservient Congress in the exercise of its taxing power, would enable him, to



trample under foot all restraints and make his will the supreme law of the land. It may be said in reply to this, that the acts only give the President the power to accept the services of such of the Militia of the States as volunteer to serve him. This is true. But we cannot shut our eyes to the fact, that in times of high political excitement, when the people are divided into parties, a fearless favorite leader having this power, and in possession of all the public arms, munitions of war, forts, arsenals, dockyards, &c., belonging to the government, might be able to rally around him such force as would give him a fearful advantage over those who might attempt to prevent the accomplishment of his designs. Such is my confidence in the present able Executive of the Confederate States, and so thoroughly am I convinced of his lofty patriotism and his purity of purpose, that I entertain but little fear that he would abuse even absolute power or subvert the liberties of his country for his own personal aggrandizement. This is no reason however, why I should consent to see absolute power placed in his hands. While I might not fear him as a dictator, I would never consent that he be made dictator. His term of office is limited by the Constitution and must expire with his new term at the end of six years. His immediate successor, or some future Napoleon, occupying the same position, may be less pure and patriotic, and with the precedent established and approved by the people, placing this vast Military power in his hands, he may make the Presidency a stepping stone for the gratification of his unholy ambition, and by the use of the Military at his command, may assume the imperial robes and seat himself upon a throne.

To guard effectually against usurpation, sustain republican liberty and prevent the consolidation of the power and sovereignty of the States in the hands of the few, our people should watch, with a jealous eye, every act of their representatives tending to such a result, and condemn in the most unqualified manner every encroachment made by the general government upon either the *rights* or the *sovereignty of the States*.

#### DEFENCE OF THE STATE,

The act of the last Legislature authorized the Governor to call out ten thousand Volunteers, if necessary, for the defence of the State.

Early in the Spring, I divided the State into four sections, or Brigades, intending, if necessary, to raise one Brigade of Volunteers in each section, and appointed one Major General and two Brigadier Generals, with a view to the prompt organization of one division in case of emergency. The position of Major General was tendered to Gen. Henry R.

Jackson, who has lately gained a very important victory over a greatly superior force of the enemy in North Western Virginia, who declined it in favor of Colonel Wm. H. T. Walker, late of the United States Army, and a most gallant son of Georgia. I then, in accordance with the recommendation of Gen. Jackson, and the dictates of my own judgment, tendered the appointment to Col. Walker, by whom it was accepted. The office of Brigadier General was tendered to and accepted by Col. Paul J. Semmes, for the second Brigade, and to Col. William Phillips for the fourth Brigade. With a view to more speedy and active service under the Confederate Government, General Walker and General Semmes resigned before they had organized their respective commands. About this time, our relations with the Government of the United States assumed so threatening an aspect that I ordered General Phillips to organize his Brigade as rapidly as possible, and to throw the officers into a camp of instruction for training, that they might be the better prepared to render effective those under their command. This camp of instruction was continued for about two weeks, and the officers sent home to hold their respective commands in readiness. This was the condition of our volunteer organization early in June when the United States troops crossed the Potomac, and invaded the soil of Virginia. Not knowing how soon a similar invasion of our own soil might be made, by a landing of troops upon our coast, I ordered General Phillips to call his whole Brigade into camp of instruction, and hold them in readiness for immediate action, should emergencies require it. This order was promptly obeyed by the energetic and efficient officer to whom it was given. General Phillips, assisted by Adjutant General Wayne, and Major Capers, the Superintendent of the Georgia Military Institute, pressed forward the instruction and preparation of the troops with great activity and energy. The troops remained in camp from the 11th of June till the 2d of August. They were a noble, patriotic, chivalrous band of Georgians, and I hazard nothing in saying, military men being the judges, that no Brigade in the Confederate service was composed of better material, or was better trained at that time for active service in the field. The season having so far advanced that it was not probable that our coast would be invaded before cold weather, I tendered the Brigade to President Davis for Confederate service in Virginia. The President refused to accept the tender of the Brigade, but asked for the troops by regiments. Believing that a due respect for the rights of the State should have prompted the President to accept those troops under their State organization; and if any *legal* obstacle, in the way of accepting a Brigade existed, that it should have been removed, by the appointment of



the General who had trained the men, and who was their *unanimous* choice, to continue to command them in active service; I, at first, refused to disband a State organization, made in conformity to the statute, and tender the troops by regiments; more especially as the President only demanded the two regiments which would have left the three Battalions to be disbanded or maintained as Battalions, through the balance of the season, by the State. Finally, the President agreed to accept the Battalions and Regiments, and in view of the pressing necessity for troops in Virginia, I yielded the point, accepted General Phillips' resignation, and permitted the troops to be mustered into the Confederate service by Regiments and Battalions.

About the time these troops left, the Secretary of War also ordered out of the State, the Regiment of *Regulars* under Col. Williams, and the 2d Regiment of volunteers, commanded by Col. Semmes, both excellent Regiments, well drilled and armed. This left the coast almost entirely defenceless. By that time I had permitted nearly all the arms of the State to go into the Confederate service, and it has been a very difficult matter to get arms enough to supply the troops since ordered to the coast.

At the time Fort Pulaski was, by an ordinance of our State Convention turned over to the Confederate Government, the number and size of the guns in the Fort were very inadequate to its successful defence against a fleet with heavy guns, and as the Secretary of War made no provision for the proper supply of guns or ammunition, I deemed it my duty to purchase with funds from the State Treasury the necessary supply, which was done at a cost of \$101,521.43. In this estimate is included the freights paid on the supply, and a number of heavy guns sent to other parts of the coast together with work done on gun carriages, &c. During the months of August and September, our climate was considered a sufficient protection of our coast against invasion. But an attack was reasonably looked for, so soon as the advanced stage of the season would render the health of an army on the coast secure.— I had petitioned the Secretary of War to send a larger force to our coast, prior to the order by which I called out Gen. Phillips' Brigade, and had offered to supply, promptly, any number of troops needed in obedience to a requisition from the War Department, and had mentioned five thousand as the number which I considered necessary. He replied, declining to order so many, and I felt it to be my duty to hold State troops in readiness to meet any contingency until the period when the climate would be a sufficient protection.

Early in September, I visited the coast and inspected the fortifications and batteries which had been thrown up by

Confederate authority. I was fully satisfied that the number of troops upon the coast in the Confederate service, was entirely inadequate to its defence, and as no requisition was made upon me for any increase of the force, I felt it to be my duty to call out State troops and increase the force as soon as possible. It is true the State was not invaded, but the danger was considered so imminent as to admit of no further delay, and I was of opinion that my action was justified by both the letter and spirit of the Constitution of the Confederate States.

In the early part of September last, I appointed Gen. George P. Harrison, of Chatham county, a Brigadier General, under the act of the last session of the Legislature, and ordered him to organize a Brigade of volunteers, armed as far as we had the means with military weapons and the balance with good country rifles and shot guns, and to throw them into camp of instruction near the coast where they could readily be used when needed. Gen. Harrison has pressed forward the organization with his characteristic promptness and energy, and now has a fine Brigade under his command. I have also, within the last few days, appointed Maj. F. W. Capers, a Brigadier General and ordered him to take command of the second Brigade now about organized.

When I permitted nearly all the State's guns to go out of the State in the summer, I entertained the hope that such number of the troops with the guns as might be needed, would be permitted to return to our coast in case of necessity during the winter. Considering the danger imminent, I lately requested the Secretary of War to order back to our coast, five Regiments of armed Georgia troops. This request was at the time declined by the Secretary, who agreed, however, to supply the Confederate General in command at Savannah with one thousand of the Enfield Rifles lately imported.

As very little expenditure has been made by the Confederate Government to place Georgia in a defensive condition, and as the number of Confederate troops upon the coast is not sufficient to meet the necessities of the service, and as the enemy's fleet is now off our coast, I am of opinion that the State will be compelled in a very great degree to take her own defences into her own hands, and I, therefore, recommend such additional legislation as the General Assembly may think necessary for that purpose, together with such appropriations of money as may be required for a bold and vigorous defence of our beloved State against the aggressions of a wicked and powerful foe. Should we have to continue our troops in the field, which I think quite probable, during the winter, an appropriation of less than \$3,500,000 will be insufficient to meet the exigencies of the service for the ensuing year.



It is true the sum asked for is large, but the emergency in which we are placed and the results which must follow our action are such, that we cannot for a moment stop to count the cost. The only question proper for discussion now is, how many men and how much money are necessary to protect the State and repel the invasion. Other States have voted larger sums than I have asked. I see by the message of Governor Harris, that the gallant State of Tennessee has appropriated and expended \$5,000,000 as a military fund within the last six months.

How the amount of money above demanded is to be raised, is a question for the serious consideration of the General Assembly. The war tax imposed by the Confederate Government, together with the expenses assumed by different counties for supplies needed by their Companies in the service, will greatly increase the burdens of taxation.— If we add this additional sum to that to be collected within the present year, the burden will be too onerous. On the other hand, we should not forget that the debt which we now incur, with the interest, has to be paid by us and our posterity. While we cannot avoid some increase of the public debt of the State, I think it wise that we increase it as little as possible, and that we meet a large part of our necessary expenditures by taxation.

I therefore recommend the enactment of a law, authorizing the collection, during the present fiscal year of one million of dollars by taxation, for State purposes, and the sale of State bonds bearing such rate of interest as will command par in the market, to an amount necessary to raise the balance. If the interest is fixed at a high rate, the State should reserve the right to redeem the bonds at no very distant period. In the management of private affairs, I have generally noticed that he who is largely indebted, and keeps his property and pays heavy interest rather than sell property enough to pay the debt and stop the interest, is seldom prosperous; so it is with a State. The revolution has happened in our day; its burdens belong to the present generation, and we have no right by a very large increase of our public debt, to transmit the greater portion of them to generations yet unborn.

#### MILITARY FUND OF 1861.

By reference to the Report of the Treasurer you will find a statement of the accounts upon which the \$1,000,000 appropriated as a military fund for the past year has been expended. The Report of John Jones as Quarter-master General to the 18th day of May, and of Ira R. Foster as Quarter-master General since that date, will afford a detailed statement of the expenditure of the several

sums charged in the Treasurer's Report to account of that department of the public service. The three Reports together with the Reports of the Quarter-master and Paymaster of the regular army while in the service of the State, afford, it is believed, all the information necessary to a complete understanding of the entire disbursement of the whole sum.

#### SALE OF STATE BONDS.

The Act of the last General Assembly of the State which appropriated one million of dollars as a military fund for the year 1861, made provision for raising the money by the sale of Six per cent. State Bonds. At the time of the passage of the Act, our Six per cent. bonds were above par in the market and were eagerly sought after by capitalists.—Soon after the dissolution of the United States Government, bonds and stocks of all kinds were greatly depreciated in the market and it became impossible to raise money at par on any securities bearing only six per cent. interest. The Government of the Confederate States fixed the rate of interest on its bonds at eight per cent. and persons having money to invest preferred these bonds to the six per cent. bonds of any State. I was consequently unable to raise money on the bonds bearing the rate of interest fixed by the statute without putting them upon the market at a considerable discount. After some negotiation, most of the Banks of this State agreed, each in proportion to the amount of its capital stock, to advance to the Treasury at seven per cent. such sum as might be necessary to conduct our military operations. This advance was made upon a statement placed upon the Executive Minutes and a copy forwarded to each, by which I agreed to recommend the Legislature when assembled, to authorize the issue of seven per cent. bonds to each for the sum advanced, payable at the end of twenty years, the interest to be paid semi-annually and the State to reserve to herself the right at her option, to redeem the bonds by paying to the holders the principal and interest due at the end of five years. Upon this agreement, a copy of which is herewith transmitted together with a statement of the sum advanced by each Bank, the wants of the Treasury were relieved and such sums have been advanced from time to time as the necessities of the State required. It is proper that I mention in this connection, that the Central Rail Road and Banking Company through its able and patriotic President, the Hon. R. R. Cuyler, tendered to the State one hundred thousand dollars and took Six per cent. bonds in payment before any other Bank had acted, and at a time when money could not be commanded in the market at that rate. This conduct was alike liberal and patriotic and was followed by agreement on the part of several other Banks, each to take ten



per cent. upon its capital stock, to which the six per cent. bonds were issued accordingly. I do not think it right that these last named Banks should be permitted to sustain loss on account of their liberality; and I therefore, recommend that the six per cent. bonds issued to each Bank in this State on account of these sums advanced, be taken up, and that seven per cent. bonds be substituted in their place and also, that seven per cent. bonds be issued to all the other Banks for the sums advanced by them in accordance with the agreement upon which they made their respective advances. This would place all the Banks upon an equality and do justice to each of them.—The part of the loan which has been taken amounts to \$867,500. Of this sum \$25,000 of the six per cent. bonds were issued to Sharp's Manufacturing Company, of Connecticut, in part pay for carbines purchased from the Company, leaving the sum of \$842,500 taken by the Banks of this State upon which only \$305,000 of bonds have issued, the balance having been advanced without the issue of bonds upon the contract above mentioned. While nearly the whole amount of the military appropriation had been expended prior to the end of the fiscal year, the receipts from the State Road and from other sources have been such as to meet the ordinary expenses of the government, as well as the extraordinary appropriations of the last Legislature; also to pay part of the drafts upon the military fund, and to leave in the Treasury at the end of the fiscal year, a net balance of \$324,099 86. As this sum in the Treasury was not appropriated for military purposes, but is mostly appropriated for other purposes and undrawn, I had no right under the Constitution to draw upon it, and as the military fund was lately exhausted and the perilous condition of the State required large expenditures and prompt action for the defence of the Coast, it became necessary for me to negotiate a further loan with the Banks of Savannah to meet the emergency, till an appropriation could be made. This I thought better than to convene the Legislature in extra session, a very short time previous to the regular session. Under this arrangement, I have received from the Banks of Savannah through G. B. Lamar, Esq., whose services have been of great value to the State both in New York prior to the secession of Georgia from the old Union, and in Savannah since that time, such sums as the service required for the repayment of which it will be necessary to provide out of the military fund to be appropriated at the present Session. The amount advanced is not yet large, but it will become necessary to increase it daily till an appropriation is made to meet the heavy expenditures now being incurred to sustain our troops in the field. I earnestly solicit for this subject the early attention of the General Assembly.

## TREASURY NOTES.

It is possible the State might find it difficult to raise by the sale of bonds, the portion of the money above recommended to be raised in that way for the ensuing year. Should it be found that such is the case, I recommend that the Treasurer of this State be authorized to issue, under the order of the Governor, treasury notes, similar to those issued by the Treasury Department of the Confederate States; and that said notes be made receivable in the payment of taxes, or any other debt due the State, or the State Road.

And for the purpose of giving these notes credit as currency, let provision be made by law, that any person presenting at the Treasury five hundred, or one thousand dollars of them, shall be entitled to have and receive for said notes, a bond of the State of Georgia, for the same amount, bearing eight per cent interest, payable semi-annually, the principal to be paid at the end of ten years; with the like privilege for each additional amount of five hundred or one thousand dollars presented.

This would place the notes upon a basis of security that the most cautious could not suspect, and would doubtless enable the State to raise such sums as her necessities may require. With this security, it is believed that our Banks could not fail to receive the notes on deposit, and that they would be received in payment of debts, and answer all the purposes of currency. As the faith of the State would be pledged for their redemption, no higher security would be asked by her citizens.

## RELIEF TO THE PEOPLE.

On account of the blockade of our ports, our planters are unable to sell their cotton, which is the great staple production of the State, and brings into the State the money which stimulates and sustains every other branch of industry. The taxes of the people, including the Confederate war tax, must necessarily be far more burdensome this year, than they have been any previous year, in the present generation. Unless something can be realized by the sale of, or by an advance upon Cotton, it will be next to impossible for our people to raise the money with which to meet this heavy burden. Such is the patriotism of our people, and such their zeal in the glorious cause of our independence, that all seem perfectly willing to submit to any amount of taxation, necessary to sustain the Government, if they can raise the money by sale of the products of their labor; but they are not willing to have large amounts of valuable property sacrificed under the Sheriff's hammer, to raise small sums of money to meet their taxes. In this state of



things it is the duty of the Government to do all that can be done, to afford relief.

As the best mode of relief which occurs to my mind, I recommend the appointment of an officer of ability and experience, with a competent salary, which will enable him to devote his whole time to the work, who shall be authorized, on receiving satisfactory evidence that any planter has deposited his cotton in any ware house in any interior town of this State, and has insured the same against loss by fire for twelve months, with any solvent Insurance Company in the State, to advance to such planter two thirds of the market value of his crop, to be paid in Treasury notes of this State, secured as above proposed, which are to be received in payment of all public dues, and funded with eight per cent bonds when presented for that purpose, redeemable at the option of the State after a short period.

The law should give the State the control of the Cotton till sold, and make ample provision for the repayment to the Treasury of the principal advanced, with eight per cent interest, the rate paid by the State, when the blockade is removed, and the Cotton sold. This would enable our planters to realize upon their crops, a sufficient sum, to meet their current expenses, and to pay all taxes required of them for the necessary expense of the war; and the support of the Government. I think our people have a right to expect some such relief as I have proposed at our hands; and I most respectfully, but earnestly invoke for this subject the attentive consideration of the General Assembly.

#### STAY LAW.

In connection with the foregoing subject, I may remark that my views on the subject of Bank suspensions and stay laws, having been frequently promulgated, are well known to the people of this State.

In ordinary times, and under ordinary circumstances, I believe all such laws are wrong in principle, corrupting in practice, and in violation of that good faith which should characterize all commercial transactions between man and his fellow man. Hence I have, on all previous occasions, withheld my assent from all such enactments; believing that they generally have their origin in unjust speculations; and that they are used by the designing, to wrest from the hardy sons of toil, the just incomes of their daily labor.

But these are no ordinary times. We are in the midst of revolution, and your predecessors have authorized the suspension of the Banks, and have stayed the collection of debts till 1st December next. Our Ports are blockaded so that our planters cannot send their Cotton and other produce to market, and it is impossible for our Banks to import specie at any price, with which to redeem their bills. In this

state of things, to require them to resume, is to require an impossibility. It occurs to me therefore, that the most that can be done, is to guard, by proper legislation, as far as possible, against over issues and abuse of their privileges by our Banks during the suspension, so as to cause them to do justice to the people, and prevent their insolvency when they shall, at a future day, be called upon to resume specie payment.

It is also absolutely necessary to extend the stay law between other debtors and creditors. Should creditors be permitted in the midst of the present crisis, by legal process, to bring the property of debtors to sale by the Sheriff, who is required by law to sell for cash, the results would be deplorable. Money is so scarce, that property forced to sale for cash, would not probably bring more than one third to half as much as it would have brought twelve or eighteen months since, when the debt was contracted. This would enable a few heartless speculators, who happen to have funds at their command, to buy up the property of poor debtors, at almost nominal prices; and would cause an immense amount of suffering among helpless women and children, whose husbands and fathers, never anticipating the present state of things, contracted debts when money was plentiful, and the country prosperous, which, had that state of things remained, they could easily have paid; but which their whole property, if forced to sale by the Sheriff, would now be insufficient to satisfy. Many of these debtors, leaving a very small amount of property for the support of their families at home, are now in the Military service of the country, risking themselves, and sacrificing all the pleasures of home, in defence of our lives, liberties and families. I can imagine no greater cruelty, than to permit the creditor in the absence of the soldier, to take from his family, the small pittance left for their support. It is true, few creditors might be so cruel as to attempt this, but the law should make ample provision for the protection of the weak and the helpless, against those who might be prompted by avarice, to disregard the dictates of humanity. I therefore in view of our necessities, waive for the present, all my objections to this character of legislation, and recommend the enactment of such laws, as will continue the suspension, and protect the poor and unfortunate from the grasp of the avaricious and the powerful, till the establishment of our independence shall have relieved us from the embarrassments which have grown out of the revolution.

#### UNPATRIOTIC SPECULATION.

It is a matter of the most profound regret in the present eventful crisis, when the whole energies of our people are being exerted to the utmost capacity in the cause of our independence, and when thousands of our fel-



low citizens who have but little except their services to give, have nobly responded to their country's call and rallied to her standard in the field, leaving helpless families behind with but little means of support except their daily labor, that combinations have been formed by hard-hearted and unpatriotic speculators, to buy up and engross almost the entire supplies of the necessities of life, without which neither the families of soldiers nor others, can subsist. So soon as these unprincipled public plunderers have obtained the control of any necessary commodity, they have not only robbed the government by demanding, and compelling it to pay the most enormous profits, but they have wronged our soldiers in the service, by compelling them to pay two or three prices for articles which were absolutely indispensable to their health and comfort, and have raised the prices of many necessary articles of provision at home, till the families of absent soldiers and others who labor for a livelihood, are obliged to live upon the most stinted allowance if not to endure actual suffering, on account of their inability, by their labor, to purchase the necessities of life. If I have not misconceived the true objects of government, the soldiers in the field from this State, the helpless families of many of them at home, and all others who have suffered by the wicked avarice of these Shylocks, have a right to demand at the hands of the General Assembly, the enactment of such laws as will afford all the relief possible against such cruel imposition in future.

Large amounts of provisions and other military supplies must be furnished to our army during the the ensuing year. If the State submits to these impositions, the prices which she pays will become the ruling prices in the market; and others, however needy or unable, must pay as much as the State pays, or they cannot procure the articles of prime necessity.

I therefore recommend the enactment of a law authorizing the Governor of this State, or any military officer under his command, by his direction, (or such other officer as the the legislature may designate,) to seize and appropriate any provisions or other supplies of any character, necessary for the subsistence or comfort of our troops, or for their efficiency in the service, wherever to be found, in the hands of manufacturers, speculators or traders, and to pay or tender to such manufacturers, speculators or traders, reasonable and just compensation therefor, to be fixed by competent valuing agents. The price fixed as the market value of the articles needed by the State, which are also the principal articles needed by the community, would very soon become the general market prices in the State, as the authorities could, on information, seize supplies for the State

in the hands of such persons as refused to sell at reasonable prices, and thus bring down those above, to medium rates.

This legislation would not only be compatible with the dictates of humanity and the plainest principles of natural justice, but it would violate no constitutional right of the speculator. The constitution expressly authorizes the government to "take private property" for "public uses," by paying "just compensation;" and does not require the government, in such cases to pay exorbitant and unreasonable prices.

I commend this subject to your serious consideration, not doubting that you will do all in your power to protect both the State and her citizens against the wicked and cruel designs of those, whom avarice leads to turn a deaf ear alike to the dictates of patriotism and humanity, and who are ready to sacrifice all that is dear to a people to satisfy their own inordinate desire for gain.

#### OUR TROOPS IN THE FIELD.

It is impossible to bestow too much praise upon our gallant troops now in service. Those of them who have had an opportunity to meet the enemy, have not only sustained the high character of Georgia, but have covered themselves with unfading glory; and many of them, sealing their offering upon their country's altar with their life's blood, have transmitted their names to posterity upon history's brightest page. I have not the slightest fear that we have a single Regiment or Company in the field from this State, that will ever falter in the face of the enemy, or fail to perform the highest deeds of heroism, when occasion is offered for such display. It is a matter of profound regret that a body of such troops as we have sent to the field, should ever lack for anything necessary to their comfort while in service. I have rendered all the aid possible with the limited means at my command, in clothing and making them comfortable; but it has not been in my power to do half as much as I wished to do. He who will consider that our military appropriation for the year just closed was but \$1,000,000, and that in addition to the purchase of ordnance, ammunition and other military stores, and the large sums expended in the organization of the Georgia Regular Army, the State has more than 40,000 troops in the field, over half of whom she has fully armed, accoutred and equipped, besides furnishing valuable supplies to Regiments not armed by her, and paying the expense of some twenty-five hundred of these troops for nearly two months in camp of instruction, will readily see why it has not been in my power to do more.

#### HOSPITAL FOR THE SICK.

I cannot close this reference to the condition and wants of our troops, without calling your attention to the necessi-



ties of our sick and wounded soldiers in Virginia. We are informed that their suffering has been very great for want of proper nursing and hospital accommodations. A most patriotic association of Georgians has been formed for the purpose of alleviating the sufferings and supplying the wants of the sick and wounded. This association has established hospitals in Virginia and collected large sums of money from our citizens by donations, to sustain these institutions; but the sums which will be required for the ensuing year, will be greater than the association can reasonably expect to raise by voluntary contribution. I contributed out of the military fund \$5,000; to assist in the establishment of the Hospital at Richmond; and I recommend such liberal appropriation for the purpose of sustaining these institutions in future, as will secure to the troops wherever they may be, when confined by affliction, all the attention and comfort which can possibly be afforded to persons in their condition.

#### MANUFACTURE OF ARMS.

So great are our necessities for arms and such the difficulties attending their importation, that I again call the attention of the General Assembly to this important subject, and suggest the propriety of either establishing a State Foundry for their manufacture, or of guaranteeing to such Company as will engage to manufacture them, such an amount of patronage as will secure success. I am informed that Col. Isaac I. Moses, a citizen of Columbus, of sufficient capital and great energy of character, acting in conjunction with Mr. John D. Gray, of Catoosa county, whose reputation for energy and enterprise is well known to our people, is perfecting preparations to manufacture at Columbus, excellent Rifles in large numbers, within the next two or three months. It is said they have already made considerable progress in their enterprise and that Mr. Gray can furnish stocks quite rapidly, and that with his aid Col. Moses will soon be able to turn out the guns complete. Should it be found on a thorough investigation of this subject by the military committee, that the enterprise of Col. Moses and Mr. Gray will be successful, I recommend that a contract be entered into with these gentlemen, or with any others who may be prepared to furnish the arms, for such supply as the future necessities of the State may require.

In accordance with the recommendations of a convention of Gun Smiths held at Atlanta, I have appropriated a part of the forges in the machine shop of the State Road, to the purpose of forging gun barrels, and a number of hands are now engaged there in that business. I have also ordered to be procured boring and rifling machines and turning lathes, and will be prepared in a few weeks to make rifle

barrels complete. These barrels are to be given out to the gun-smiths, who, under contracts for that purpose are to finish the guns after the pattern of the Harper's Ferry rifle.

#### POWDER MATERIAL.

Soon after the State seceded from the Union, in view of our perilous condition, and the great scarcity of salt petre and sulphur in the State, and indeed in the South, I felt it my duty to use every exertion in my power to procure the material, without which it would be impossible to make the supply of powder absolutely necessary to our safety and the success of our common cause. After much exertion and great risk, I succeeded in procuring a supply sufficient to make several hundred tons of powder; which was landed in the State a very short time prior to the commencement of the blockade of our ports. A short time after its importation, I offered the powder material and the steamer *Huntress* to the Secretary of War for the common cause, at their original cost to the State without even charging interest on the money, during the time intervening, between the purchase by the State, and the proposed sale. This proposition was declined by the Secretary. At a later period in the season, I renewed the proposition, with the alternative that if the Secretary refused to take the steamer, which had been purchased by order of the State Convention, and which was no longer needed by the State, the Confederacy having assumed the control of our naval affairs; he could have the powder material without the steamer at its market value. This latter proposition was accepted and the market value of the powder material fixed by the Secretary himself at fifty per cent upon original cost. It was at the time worth in the market, over three hundred per cent upon the original cost, but as it was no part of my purpose to speculate for the State on that which was essential to the success of our common cause, I permitted the Secretary of War to take it at his own price. The State Treasurer had advanced the money to purchase the material at my request, without warrant, and after the sale, as no warrant had passed, I refunded to the Treasury the amount of money advanced by the Treasurer. By this transaction I not only obtained and turned over to the Confederacy at a price several hundred fold less than it could have been elsewhere obtained, a supply of material of very great value, but also made a clear profit of \$22,133 70 for the State. As the drafts upon the military fund were much heavier than was anticipated when the appropriation was made, I found it necessary to use this net profit which I had made for the State, in the purchase of provisions and other necessary supplies for our troops. I therefore paid it over to the Quarter Master General of the State, and took



his receipt for the amount, which he has expended for the use of our troops, and for which he will account in his report. I have ordered this receipt to be recorded on the Executive minutes and the original to be filed subject to the inspection of any committee, or other person interested.

#### PENITENTIARY.

You are referred to the report of Col. James A. Green, the active and energetic Principal Keeper of the Penitentiary, for a statement of the operations of that Institution, during the past fiscal year. It will be seen that after the payment of all its indebtedness for the year, it has a handsome sum to its credit; and that no appropriation is asked for its assistance or support for the ensuing year.

#### ASYLUM, AND OTHER INSTITUTIONS.

For a statement of the condition and wants of the Lunatic Asylum, Academy for the Blind, and Institution for the Education of the Deaf and Dumb, you are respectfully referred to the reports of the officers in charge of these Institutions.

#### STATE UNIVERSITY.

As required by the Statute, I transmit herewith the Report of the Trustees of the State University. So large a number of young men, who would otherwise have been pursuing their Collegiate studies, have volunteered, and gone to the army, that the number of students in the University must be expected to be materially diminished during the ensuing year.

#### GEORGIA MILITARY INSTITUTE.

I apprehend I need enter into no argument in the present eventful period of our history, to satisfy the General Assembly of the great utility and importance of the Military Institute to the State and to the South. The friends and patrons of the Institute have much reason to be proud of the results of their labor. Most of its graduates hold useful and important positions in the service of the State, or the Confederacy, while some have already sacrificed their lives on the battle field gallantly leading their followers in the hour of victory. I am happy to be able to state that the prospects of the Institute are at present very flattering. Feeling that the State needed the services and military skill of Maj. Capers, the Superintendent during the winter upon the Coast, I have given him a commission as Brigadier General, and assigned him to the command of the second Brigade of Georgia State troops. As it is not probable that the campaign upon the Coast will last for more than six months, it is hoped that General Capers may be able to resume his position in the Institute before the commencement of the next summer. Considering his services of great importance to the State in conducting the military



education of our youth, the Board under whose supervision the law has placed the Institute, could not willingly consent that General Capers accept such military commission as would carry him out of the State, and sever his connection with the Institution where his services are so highly appreciated.

To sustain the Institute and place it upon a solid basis it will be necessary that such appropriations be made to endow it as will place the professors' salaries beyond contingency. I commend the Institute to the enlightened statesmanship, and fostering care of the General Assembly.

#### EDUCATION.

The annual appropriation of one hundred thousand dollars, and the dividends from the Bank Stock belonging to the State, and the interest upon the educational bonds, amount in the aggregate, to \$145,054 00 for the past year. This will be distributed among the Counties for school purposes, unless the Executive shall be otherwise directed by legislation anterior to the day fixed by law for the distribution. While our financial embarrassments growing out of the war may be very considerable, I entertain the opinion that it would be better for the people to submit to the additional taxation necessary to raise this sum, than to withhold it from those entitled under existing legislation to participate in its benefits.

#### THE NEW CONSTITUTION.

The new Constitution proposed by the State Convention on the 23rd day of March last, while in session at Savannah, was, by my proclamation, submitted to a vote of the people of the State for ratification or rejection, on the first Tuesday in July last. The vote cast was quite a small one, owing doubtless, to the fact, that the thoughts of our people were so much engrossed with the war, that little attention was given to any other subject; and as the Constitution had received the sanction of the Convention, composed as it was of so many of the brightest intellects, and best men of the State, the people were, it would seem, generally willing, to ratify their action without serious opposition. The election returns received at the Executive Department, show the following result:

For Ratification.....	11,499 votes.
No Ratification.....	10,704 votes.

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Majority for Ratification.....	795 votes.
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After the result was known, on the 20th day of August last, I issued my proclamation, as required by the resolution of the Convention, declaring the proposed Constitution to be the Constitution of this State.

## OUR MILITIA SYSTEM.

I invite the attention of the General Assembly to the suggestions contained in the report of the Adjutant and Inspector General recommending a revision of our Military Code. I would also suggest a change in the law relating to Volunteer Companies. During the past year these companies have frequently been formed, and after their officers were commissioned and they armed by the State, have in a short time disbanded and scattered their arms, causing very considerable expense and trouble to the State to collect them again, and in some instances involving the entire loss of part of the guns to the State. Again, it has frequently happened after companies have been formed and their officers have expended large sums in uniforming and equipping them, that a portion of the members becoming dissatisfied with the organization, or seeing as they believed, an opportunity to get into service sooner with some other company, have withdrawn, and reduced the Company to so small a number as to compel the officers to disband it. This has caused much confusion, and has been very discouraging to those who have incurred heavy expense in organizing and equipping Companies for service. To prevent this state of things in future I recommend such legislation as will compel those who may hereafter enrol their names as members of a Volunteer Company to adhere to the organization for at least twelve months, and to respond to any call which may, within that time, be made upon them for active service in the field, and for such term of service as may be required by the statutes under which they may be called out for the defence of the State or the Confederacy.

## WESTERN AND ATLANTIC RAILROAD.

For a statement of the condition of the Western and Atlantic Railroad, the General Assembly is referred to the report of the late able and faithful Superintendent, Dr. John W. Lewis, whose resignation took effect with the end of the fiscal year of the Road, on the 30th of September. Maj. John S. Rowland, of the county of Cass, who has been appointed Superintendent, is energetically and faithfully engaged in the discharge of his duties. The other able officers of the Road generally remain in their positions as heretofore. Their past fidelity and efficiency, together with the well known character of the Superintendent for honesty, integrity, practical business sense, and financial ability, are, I trust, sufficient guaranty that the future management of the Road will be faithful and successful. If the Blockade is continued so as to prevent all exports of produce, the falling off of freights during the ensuing year will probably seriously affect the income of the Road.

As will be seen, by reference to the Report of the State Treasurer, he has received from the Road \$438,000 of net incomes for the past fiscal year, ending 20th October last.

#### FLORIDA BOUNDARY LINE.

At the last session of the Legislature, a resolution was adopted, directing me to re-open negotiations with the authorities of the State of Florida, in regard to the boundary line between the two States, and to urge the adjustment of the disputed line, so as to "protect the rights of citizenship of the people residing near the line, who have been recognized by the laws and constitution of this State, as being citizens of Georgia, and so as also to protect the titles of citizens to the lands which they hold under grants issued by the State; and to have, if practicable, the boundary fixed so as to retain and keep the fractional lots of land sold by Georgia, within the jurisdiction of this State." Owing to the fact that the energies of both States were taxed to their utmost capacity by the existing war, and that the official term of Gov. Perry was near its expiration, I delayed action till after the inauguration of Gov. Milton, when I transmitted to him a copy of the resolutions of our last Legislature, and invited his attention to the subject. He replied, that he would lay the resolutions before the Legislature of Florida. I transmit herewith a copy of the correspondence, which is all that has transpired since the adjournment of the last session. Should I receive notice of any action on the part of the Legislature of Florida on this subject prior to your adjournment, you will be promptly informed of the fact.

#### THE CONFEDERATE WAR TAX.

The *twenty-fourth section* of the Act passed by the Congress of the Confederate States for the collection of a War Tax, is in these words :

"If any State shall, on or before the first day of April next, pay, in the Treasury notes of the Confederate States, or in specie, the taxes assessed against the citizens of such State, less ten per centum thereon, it shall be the duty of the Secretary of the Treasury to notify the same to the several tax collectors in such State, and thereupon their authority and duty under this Act shall cease."

In a previous part of the Act, provision is made for the appointment of Assessors by the Confederate Government, and the valuation of taxable property in each State. It would seem, therefore, that there is no way of ascertaining the amount which each State is required to pay till this assessment is made. After this is done, and the sum for which the State is liable is known, each State may pay



this sum into the Treasury, in gold and silver, or Confederate Treasury notes, less ten per centum, and thereby prevent the collection of the same by Confederate officers. While I would have greatly preferred that Congress should have apportioned the sum to be raised among the States; without the intervention of Confederate Assessors, it is much better, in my opinion, that we at least prevent the Confederate Tax-Gatherers from making their appearance among us, when we can save ten per centum upon the whole sum by collecting it under State authority, and paying it into the Confederate Treasury; and I think it would be more satisfactory to our people that they be visited by the Tax-collectors of but one Government. I therefore recommend such legislation as may be necessary to secure the collection of Georgia's quota by her own State Collectors, either those who collect the State tax, or others to be appointed by State authority for that purpose, and its payment, when collected, into the Confederate Treasury. The State Collectors could afford to do the labor for a very small per centum on so large a sum. While the State, by the adoption of this policy, would act upon a principle alike compatible with her dignity and sovereignty, she would save to her Treasury a very considerable sum in the difference between the actual cost of collection, and the sum allowed her on that account. Should it become the policy of the Confederate Government in the future, to abolish our tariff system, with all the expense and corruption that attended the system in the old Government, such a course might greatly lessen the expenses of the Government, and cause the people to hold their public servants to a much more strict accountability for wasteful expenditures; and in that event, I am of opinion that the amount necessary to the support of Government, should be justly apportioned among the States, and each State should be permitted, by her own Collectors, if her people prefer it, to raise her own quota, and pay it into the Treasury, without the intervention of Confederate Collectors.

#### COMMERCIAL INDEPENDENCE.

The contest in which we are engaged must, it is admitted by all, result in our political independence. But our deliverance from political bondage will be of little advantage if we remain in a state of commercial dependence. If our exchanges at the end of the war, are still to be made through New York and other Northern Ports; our Cotton shipped upon Northern ships by way of New York to Europe; taxed with increased freights, insurance, commissions, wharfage, and other incidental expenses incurred upon that route; and our goods imported over the same line burdened with the usual expense to us, and profits to the North-

ern merchant, which must result from indirect importations ; we shall remain in fact, subject to Northern rule, and our political destinies will soon be controlled by those who have our commercial interests under their power. This evil can only be prevented by the inauguration of a system which will secure direct trade and direct exchanges with Europe. It is a question well worthy the consideration of Congress, whether this object cannot be better accomplished by the establishment of free trade with all the world. Your predecessors, at the last session, duly appreciating the importance of this question, passed an act incorporating the "Belgian American Company," and authorizing the Governor to pledge the State to secure to the Company, what was considered reasonable profits on the amount invested in a line of steamers to run direct between Savannah and some commercial point in Europe, provided the guarantee of the State should not exceed one hundred thousand dollars, per annum, for five years. The act also made it the duty of the Governor to appoint a Commissioner to Europe to negotiate an arrangement for the line. In obedience to this requirement of the statute, I appointed the Hon. T. Butler King, Commissioner, and sent him to Europe early in the Spring. I have received but a single dispatch from Mr. King since his departure. In this, he informs me that he has forwarded several others which I have not received.

As it is impossible to foretell what may be the result of Mr. King's mission, I beg leave to call the attention of the General Assembly to the fact that an association of Georgians of high character, and well known financial and commercial ability, is now being formed, for the purpose of establishing at as early a day as possible, a line of steamers between Savannah and such commercial port in Europe, as offers the greatest inducements and facilities for direct trade and intercourse.

If the legislature will incorporate the company and subscribe, for the State, \$200,000 to its capital stock, and grant to it a subsidy of fifty thousand dollars per annum, for five years, I am informed that the whole capital stock will be at once taken, and the ships purchased, ready to be placed upon the line immediately after the removal of the blockade. This would cost the State less than she has proposed to guarantee to a foreign company. And as the line in this case, would be owned jointly by the State, and an association of her most enterprising citizens, there would seem to be weighty reasons, why our people should prefer it, to any line controlled by foreign capitalists, who would have no preference for a Georgia port as the American terminus of the line, if superior inducements should at any future time be offered by any other Southern city.



So soon as the blockade is raised, it will become a matter of the first importance that the line be immediately put in operation, and that permanent and safe arrangements be made with European capitalists for advances upon cotton, and for the regulation of our exchanges upon a just and equitable basis.

No country on the globe possesses more natural advantages, and no country has suffered greater wrong than has been inflicted upon the South for the last quarter of a century; under the unjust and iniquitous system of legislation adopted by the Government of the United States. The Union has at last been severed beyond the possibility of re-construction; and the Southern States are no longer commercially, nor politically, the appendages or provinces of the Northern Government, but they are free, sovereign, and independent, while that Government has become a Military despotism. If the people of the South are true to their own interests, they will never in future have any political connection with the people of the North, nor permit their commercial relations to be controlled by Northern legislation or Northern capital. The South was not only the great productive section of the old Union, furnishing most of its exports, but it was the balance wheel which kept the machinery of Republican Government in regular motion, and its trade was the great artery of life to the Northern section. With every advantage of soil and climate, and all the material elements of greatness, no longer compelled to submit to an unjust draft upon her industrial pursuits to build up and pamper the power of a haughty rival section, the South seems to hold in her own hands, under the smiles of a kind Providence, the high destiny of her own future.

#### OUR COMPETENCY FOR SELF-GOVERNMENT.

He who has read history attentively, and studied carefully the theory of Government, can have but little difficulty in arriving at the conclusion, that a Republican Government can only be maintained upon the basis of domestic slavery. The assertion, so often repeated, that our people are competent for self government, is no doubt true when properly qualified; but if it is intended by the term, "*people*," to include the whole people, and to permit all of every class white and black indiscriminately to exercise political rights, it is then doubtless untrue. The capacity of the people for self-government, depends upon their virtue and intelligence, and the experiments made in France and other enlightened countries, where domestic slavery is not tolerated, have shown that sufficient virtue and intelligence never exist to enable the people to perform the task, when the whole mass of the people of every class are permitted to participate actively in the affairs of the State. Hence, the general rule, that a country which does not tolerate domes-



tic slavery, is governed by monarchy. It is admitted that the opposite of the rule is not always true, as some countries, like Brazil and Spain, tolerate domestic slavery, and are governed by monarchy. Nor is the rule itself probably without a single exception, as in the case of Switzerland, which, on account of its peculiar locality and condition, is tolerated as a republic by the other governments of Europe.

Take, as an illustration, the people of the Confederate States, and of the United States. We say the people of the Confederate States are competent to govern themselves. This is true in the sense in which the expression is used; but if we use the term "*people*" in its broadest sense, and embrace the four millions of negroes as a part of the people, entitled to exercise political rights, then it is not true. The people of the United States are intelligent and enlightened, but the whole people, including menial servants, imported paupers, and free negroes, all under their theory possessing and exercising equal rights and equal power at the ballot box, are certainly incompetent to govern themselves. Hence that government must soon terminate in monarchy.

Intimately connected with the above cause, is another that must tend to hasten the result. I allude to the irreconcilable conflict, which, under their domestic system, exists, and must continue to increase, between CAPITAL and LABOR. There, the *capitalist* who desires to employ *labor* has no interest in the person of the laborer, but only an interest in his day's work. He is under no obligation other than the common dictates of humanity to provide for the wants of the laborer or his family in case of sickness or other misfortune. It follows that it is the interest of the combined capitalists of the North to depress the price of labor and procure work as low as possible. On the other hand, the laboring class is interested in keeping up the price of labor. In this conflict, if the laboring class strike for higher wages, when prices are no longer remunerative, the competition for employment which will be produced by the annual importation of very large numbers of foreign paupers, will give the capitalists greatly the advantage in their efforts to maintain low prices. This, together with the consequent necessities of the laboring class, will naturally foster the agrarian feeling already engendered, and the conflict will become constant and bitter. The laboring class, including the lowest menial servants, and naturalized foreign paupers, being voters will naturally have the advantage at the ballot box, on account of their superiority of numbers. This will induce the capitalists, on the other hand, to use their money freely to influence the elections which will be productive of increased rottenness and corruption in the body politic. Riots and mobs will grow out

of the contest, till thinking men, discovering the tottering basis upon which society rests, and the insecurity of property, will naturally be induced to seek protection in a stronger form of government.

Amid this chaos and confusion, in the throes of revolution, some master spirit with great ability and ambition, will attract attention and win popular applause. This will place him in position to command, when appealing to the necessities of the capitalists he will engage to make his sword their protector, and to distribute the honors of the Empire among them, if they will make their gold the pillars of his throne. The result will be, that the country will seek repose in the downfall of Republicanism, and the establishment of Monarchy.

The very opposite of all this is true in the Confederate States. Here, domestic slavery is a fundamental part of our social system. We have over four millions of negroes who are the menial class of our society. They have no political rights and seek none; they take no part in the Government, but are a dependant class, generally contented and happy, having all their natural wants supplied by those who are responsible under our laws for their humane and kind treatment. In case of sickness, or permanent bodily infirmity, they are not left as are the paupers of the North, to the cold charities of the world, for the necessaries of life; but public opinion and the laws of the land, compel their owners to make provision for their wants and to treat them with humanity and kindness. Here the *white class* is the ruling class. When we say our people are competent to the task of self-government, we mean *white people*. But it may be said, the paupers of the North, who participate in the government, are generally white people. This is admitted, but many of them are white people of the lowest menial class; so low that there is no class below them, and they lack not only intelligence but pride of character. Hence their votes are bought and sold in the market. With us every white man, whether native or of foreign birth, feels and knows that he belongs to the *ruling class*, and that there is a menial class of millions of persons entirely below him. This inspires him with pride of character which fits him to participate in the political affairs of the State. If there are individual exceptions to this rule, they are not sufficiently numerous to be severely felt, or to affect materially the results in the choice of rulers. Again, instead of perpetual conflict under our social system between *capital* and *labor*, we have the most perfect harmony. We have few capitalists who are not slaveholders. Each slaveholder has an interest not only in the day's labor, or the week's labor, but in the *person* of the laborer; in his flesh and his blood, his muscle and his bone;



in a word, *the man is his*. If, therefore, the labor of the man is worth one dollar per day, the man, himself, is worth one thousand to fifteen hundred dollars, and he who owns one hundred of these laborers is a rich man, and enjoys all the importance and position, which wealth gives in society. Reduce the price of labor to fifty cents per day, and you greatly reduce the value of the laborer in the market, and in like proportion you reduce the value of the estate of the owner. If you reduce the price of labor to twenty-five cents per day, the laborer cannot, by his labor, comfortably support himself and family. In this case, as his labor is worth nothing to his owner, he is valueless, and the person who owns one hundred such laborers with the responsibilities attaching to the ownership, is not only poor, but has a heavy burden annexed to his poverty.

As most of our slaves are owned by men of capital, and as capitalists, like other men, look to their interests, and as the value of the estate of each slave-holder depends upon the value of labor, it becomes the interest of the combined capital of the country to keep up the price of labor to sustain the value of property. The poor white laborer is also interested in keeping up the price of labor, as he has to work to support himself and family, and if he is intelligent and examines this question, he cannot fail to see that the surest way to keep up the price of his own labor, is to sustain the institution of slavery. If the labor of the negro is worth in the market one dollar per day, the labor of the white man is worth more, or certainly as much; and while the institution of slavery is maintained, every capitalist in the country who owns slaves, is interested in, and will use his influence to keep up, the value of labor, and the poor white man gets the influence of his more wealthy and powerful neighbor in sustaining the price of his labor. On the other hand, if slavery is abolished, it becomes in the South, as it now is in the North, the interest of the combined capital of the country to depress labor, and get it as low as possible, as the capitalist would then be no longer interested in the person of the laborer, and the value of his estate would be no longer dependent upon the price of labor.—The interest of the capitalist in the last case, would be to get labor low, and as the negro would, when free, be placed nearer a state of equality with the white laborer, and would have a right to make his own contracts, he would come into direct competition with the poor white laborer, and would soon under-bid him, and reduce the price of labor to as low a rate as would sustain life. This would bring ruin upon the poor white man, and degrade his family far below their present condition. It is very clear, therefore, while the institution of slavery exists, that it is the interest of the rich man to sustain the price of the labor of the poor white



laborer; and that it is, for the same reason, the interest of the poor white laborer to sustain and perpetuate the institution of negro slavery. In other words, the rich and poor are alike interested in sustaining slavery and in sustaining the price of labor. The slaves themselves are also interested, as they are more civilized, more christianized, and in a better condition than the like number of their race ever were in any other country or climate. If the price of labor is high, and the slave is worth a high price in the market, the owner has a heavy pecuniary interest in addition to the common sympathy of our nature to prompt him to treat the slave well, as his value to his owner depends upon the preservation of his life and health, and these depend much upon the manner in which he is clothed, and fed, and attended to in sickness.

From the foregoing reflections, it naturally follows, that our whole social system is one of perfect homogeneity of interest, where every class of society is interested in sustaining the interest of every other class. We have all the harmonious elements necessary to the perpetuity of that republican and religious liberty bequeathed to us by our fathers; with none of the distracting and conflicting elements which must destroy both in the Northern States, and which have already precipitated the country into a bloody revolution, and attempted to hurl to the ground the fairest structure ever dedicated to Liberty on the face of the Globe. To sustain this priceless heritage is the highest earthly duty of the christian and the patriot. Ruthless and bloody hands have been laid upon it. To wrest it from them may cost hundreds of millions of treasure, and many thousands of the most invaluable lives of the South. But he who would stop to count the cost, would do well to ask himself what is my property worth when I am a slave? or, What is my life worth, if, by saving it, I must transmit a heritage of bondage to my children? If we are conquered, our property is confiscated, and we and our children are slaves to Northern avarice and Northern insolence. Sooner than submit to this, I would cheerfully expend in the cause the last dollar I could raise, and would fervently pray, like Sampson of old, that God would give me strength to lay hold upon the pillars of the edifice, and would enable me while bending with its weight, to die a glorious death beneath the crumbling ruins of that Temple of Southern freedom which has so long attracted the world by the splendor of its magnificence.

JOSEPH E. BROWN.

On motion of Mr. Seward, one hundred copies of the Governor's Message was ordered to be printed for the use of the Senate.

On motion the Senators proceeded to draw and choose their seats.

On motion the Senate then adjourned until 10 o'clock to-morrow morning.

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THURSDAY NOVEMBER 7th, 1861. }  
10 O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Brooks.

Mr. Bell introduced a bill "to consolidate the offices of Tax Collectors and Receivers, of this State, and require the duties, thereof, to be discharged by one officer, to be styled 'Tax Receiver and Collector ;'" which was read the first time.

Mr. Furlow introduced a bill to alter and amend an act entitled "an act, to change and alter the county lines between the counties of Dooly and Macon," assented to December 17th, 1860, and for other purposes, which was read the first time.

Mr. Gordon introduced a bill to incorporate an Insurance Company in the city of Savannah, to be called "the Southern Insurance and Trust Company," which was read the first time.

Mr. Hill introduced a bill to legalize the proceedings of the Inferior Court of Wilkes county, relative to levying taxes for the benefit of Volunteers and their families, and for other purposes, which was read the first time.

Mr. Jackson introduced a bill to authorize the Receiver or Receivers appointed under the Sequestration Act of the Confederate States, to bring suits on claims of alien enemies sequestered in any of the Courts of this State, and maintain all suits which are now pending in any of the Courts, and for other purposes, which was read the first time.

Mr. Hill introduced "a bill for the relief of Gabriel Toombs," which was read the first time.

Mr. Lewis introduced "a bill to amend the divorce laws of this State," which was read the first time.

Also, "a bill to re-enact and keep in force until the first day of December, 1862, an act to grant relief to the Banks and people of this State, and for other purposes, passed in the year 1857; and an act to add a proviso to the fourth section of an act for the relief of the people and Banks of this State, passed 30th day of November, 1860, and to add an additional section to said act, the former of which acts was



passed in the House and Senate over the Governor's veto, by a Constitutional majority, November 30th, 1860, and the latter was assented to December 20th, 1860, which was read the first time.

Mr. Lewis offered a resolution instructing the committee on Finance, in the House and Senate, to act as a Joint Committee for certain purposes, which was read.

Mr. Mitchel introduced "a bill to assume and pay into the Treasury of the Confederate States of America, the taxes assessed or to be assessed, against the citizens of the State of Georgia, under an act of the Congress of the Confederate States, usually called the Confederate War Tax, and passed on the        day of       , 1861," which was read the first time.

Also, "a bill to incorporate the Western and Atlantic Rail Road Company, and to sell and dispose of one-third of the stock of the Western and Atlantic Rail Road," which was read the first time.

Mr. Brown introduced "a bill to authorize the Inferior Court of Marion county to levy a tax for the support of the Soldiers in the service of the Confederate States, and their families," which was read the first time.

Mr. Seward introduced "a bill to incorporate the Planters' Insurance, Trust and Loan Company"—accompanied with a memorial—which was read the first time.

Mr. Seward moved to print fifty copies of the same for the use of the Senate, which was agreed to.

Mr. Stafford introduced "a bill to prevent trading with the enemy in time of war, either in this State or a part of any other State, which was read the first time.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary :

*Mr. President* :—I am directed by the Governor to deliver to the Senate a communication in writing, with a number of sealed packages supposed to contain the returns of the late election for Governor.

On motion of Mr. Hill, a committee consisting of three was appointed to convey to the House of Representatives the election returns.

The President appointed, as said committee, Messrs. Hill, Echols and Anthony.

Mr. Vason introduced "a bill to provide for the appointment of new assignees and trustees in certain cases," which was read the first time.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President* :—I am instructed by the House of Representatives, to inform the Senate that this House will be ready to receive them in their Hall, this, day, at 11 o'clock



A. M., to count out and consolidate the election returns at the recent Gubernatorial election.

On motion, the Senate repaired to the Representative Hall.

The General Assembly then proceeded to count out and add the returns of the several counties of this State, upon which it appeared that Joseph E. Brown was duly elected Governor of Georgia for the ensuing two years, and was so declared by the presiding officer. The President and members of the Senate, then, on motion, repaired to their chamber.

On motion of Mr. Hansell, the rules were suspended and a committee of three was appointed to join such committee as may be appointed on the part of the House of Representatives, to wait on His Excellency Joseph E. Brown, notifying him of his election, and request his acceptance of the same.

The President appointed, on the part of the Senate, Messrs. Hansell, Vason and Stafford as such committee.

Mr. Furlow introduced "a bill to make valid the doings and actings of Augustus B. Raiford and Sterling Glover as Deputy Sheriffs of the county of Sumter," which was read the first time.

Mr. Bell offered a resolution instructing the Judiciary Committee of the Senate and House, to enquire into the power of the General Assembly to suppress speculation, monopoly and extortion, which was read.

Mr. Gibson introduced "a bill to alter the time of holding the Superior Courts of the Middle District, and for other purposes," which was read the first time.

Also, "a bill to empower and authorize the City Council of Augusta to fix the salary of city Judges," which was read the first time.

Also, "a bill to amend an act to authorize the settlement of criminal prosecutions in certain cases," which was read the first time.

Also, "a bill to make valid the proceeding of the Inferior Court of Richmond county, in providing for the indigent families of absent soldiers, and to authorize said Justices to raise money for that purpose," which was read the first time.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President* :—I am instructed by the House of Representatives, to inform the Senate that they have appointed the Hons. Messrs. Tatum, Cochrane of Glynn, Briscoe, Cabaniss and Lester to join a similar committee, on part of of the Senate, to notify the Governor, elect, of his election, and to request his acceptance of the office to which he is elected and make arrangement for his inauguration.

Mr. Hansell introduced "a bill to incorporate the Direct Trade and Banking Company of Georgia, and for other purposes," which was read the first time.

Mr. Hansell moved to suspend the rules, for the purpose of offering a resolution, which was agreed to.

Mr. Hansell offered the following resolution, which was taken up, read and agreed to.

*Resolved*, That in view of the importance of the annual report of the Comptroller General of this State, accompanying the Governor's annual message, five hundred copies of said report be printed for the use of the Senate."

Mr. Dyer offered a resolution relative to the amendment of the twenty-first rule of the Senate, which was read.

Mr. Hansell, Chairman of the committee, appointed to notify the Governor of his election, reported that the committee had discharged their duty and received for answer that he accepts the office, and would be ready to attend in the Representative Chamber at twelve o'clock to-morrow, to take the oath of office prescribed by the Constitution of this State and of the Confederate States.

On motion of Mr. Bell, a committee consisting of three was appointed to report rules for the government of the present session.

The president appointed, as said committee, Messrs. Bell, Gibson and Gordon.

On motion, the Senate then adjourned until 10 o'clock to-morrow morning.

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FRIDAY NOVEMBER 8TH, 1861. }  
10 O'CLOCK A. M. }

Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Talmage.

Leave of absence was granted Mr. Gordon for a few days, on special business.

The Senate took up the following bills, which were severally read the second time, and referred to the committee of the whole:

"A bill to consolidate the offices of Receiver of tax returns and Collector of taxes in this State, and for other purposes."

Also, "a bill to alter and amend an act entitled an act to change and alter the county lines between the counties of Dooly and Macon," assented to December 17th, 1860.

Also, "a bill to incorporate an Insurance Company in the city of Savannah, to be called the Southern Insurance and Trust Company.



Also, "a bill to legalize the proceedings of the Inferior Court of Wilkes county relative to levying taxes for the benefit of Volunteers and their families, and for other purposes."

Also, "a bill for the relief of Gabriel Toombs."

Also, "a bill to amend the divorce laws of this State."

Also, "a bill to re-enact and keep in force until the first day of December, 1862, an act granting relief to Banks and people of this State, passed in the year of 1857, and an act adding a proviso to the fourth section of an act for the relief of the people and banks of this State, passed 30th November, 1860, and to add an additional section to said act, the former of which acts was passed in the House and Senate, over the Governor's veto, by a Constitutional majority, November 30th, 1860, and the latter was assented to December 20th, 1860.

Also, "a bill to authorize the Inferior Court of Marion county to levy a tax for the support of the Soldiers, in the Confederate States, and their families."

Also, "a bill to prevent trading with the enemy in time of war."

Also, "a bill to make valid the doings and actings of Augustus B. Raiford and Sterling Glover, as Deputy Sheriffs of the county of Sumter."

Also, "a bill to empower and authorize the City Council of Augusta to fix the salary of city Judge."

Also, "a bill to amend an act to authorize the settlement of Criminal prosecutions in certain cases, and for other purposes."

Also, "a bill to alter and fix the times of holding the Superior Courts of the middle District, and for other purposes."

Also, "a bill to make valid the proceedings of the Justices of the Inferior Court of Richmond county, in providing for the indigent families of absent Soldiers, and to authorize said Justices to raise money for that purpose."

Senate took up the following bills, which were severally read the second time and referred to the committee on the Judiciary :

"A bill to authorize the Receiver or Receivers, appointed under the Sequestration act of the Confederate States, to bring suits on all claims of alien enemies in any of the Courts of this State and to maintain all suits which are now pending, and for other purposes."

Also, "a bill to provide for the appointment of new Assignees and Trustees in certain cases."

Senate took up the following bills which were severally read the second time and referred to the committee on Finance."

"A bill to assume and pay into the Confederate States of



America the taxes assessed or to be assessed against the citizens of Georgia, under an act of said Confederate States, usually called the Confederate war tax."

Also, "a bill to incorporate the Western & Atlantic Rail Road Company, and to sell and dispose of one-third of the stock of the Western & Atlantic Rail Road."

On motion, one hundred copies of the same were ordered to be printed for the use of the Senate.

Senate took up the following bill which was read the second time and referred to the committee on Agriculture :

"A bill to incorporate the Direct Trade & Banking Company of Georgia, and for other purposes."

Senate took up the following bill which was read the second time and referred to a special committee of three :

"A bill to incorporate the Planters' Insurance Trust & Loan Company."

The President appointed Messrs. Seward, Hansell and Vason as such committee.

The following resolution, previously offered, was taken up, read and agreed to :

*Resolved*, That the committee on Finance of the Senate and House of Representatives, be instructed to act as a joint committee, and report appropriate bills so soon as it may be practible to the House of Representatives (where alone such bills can originate) upon the following subjects, to-wit :

1st. Authorizing the Inferior Courts of the several counties in this State, to levy such extra tax as may be necessary to defray the expenses said counties have incurred in raising and equipping companies for the war, and providing for the families of said companies.

2d. Providing for the equalization of said burthens throughout the State, so that each county may bear its *pro rata* share of said burthens.

3d. Authorizing and requiring the assumption by the State, of the existing Confederate war tax.

Mr. Boyd offered a resolution relative to retrenchment and reform and the appointment of a joint committee to take into consideration the propriety of reducing the salaries of the principal officers of this State, and to assess the per diem pay of members of the Legislature, which was read.

The following resolution was taken up, read and agreed to :

Whereas, a system of speculation monopoly and extortion, in many articles absolutely necessary to subsistence of the people, is now being practiced in the State by selfish, base and unprincipled persons, in violation of the common dictates of humanity and patriotism.

*Be it, therefore, resolved*, That the Judiciary Committees

of the Senate and House of Representatives jointly be, and they are hereby instructed to enquire into the power of the General Assembly, to suppress such speculations monopoly and extortion, and report by bill or otherwise as early as practicable, the most effectual means of accomplishing such suppression.

On motion of Mr. Smith, the Senate took up the following resolution, which had been previously offered :

*Resolved*, as a sense of the Senate, that no other or more Clerkships shall be recognized or paid, than the following :

A Secretary and assistant Secretary, a Journalizing Clerk, a reading Clerk, and an engrossing and enrolling Clerk.

Mr. Vason moved to amend the same by adding the following :

“Except such as may be engaged by any of the committees of the Senate, with the consent of this body,” which was agreed to.

Mr. Hansell moved, further, to amend the resolution by adding the following :

“Unless authorized by the Senate,” which was agreed to.

The resolution, as amended, was then agreed to.

On motion, the President and members of the Senate repaired to the Representative Chamber, and being seated, the Governor elect, the Hon. Joseph E. Brown was introduced by the joint committee and attended by the State House officers and other distinguished citizens, when he addressed the General Assembly and took the oath prescribed by the Constitution of the State and of the Confederate States.

The Governor, attended by the committee, having withdrawn, the President and members of the Senate retired to their chamber.

Mr. Bell, from the committee, appointed to report permanent rules for the government, reported the rules of the last Senate with the following amendment thereto, to-wit :

Striking out in the 12th rule the words “two members,” and inserting in lieu thereof, the words “one fifth of the members present.”

Also, striking out the 13th and 14th rules of the former Senate, and in the 21st rule, striking out the words “on amendments to the Constitution,” also, striking out the 26th rule of the last Senate.

Mr. Vason moved to amend the same, by inserting in the tenth rule, after the word “question,” the words “as amended,” which was agreed to.

Mr. Mosely moved, further, to amend by adding the following :

“No member shall read newspapers or other documents during the reading of bills or resolutions,” which was lost.

The report of the committee, as amended, was then

agreed to, and one hundred copies of the same, together with the names of the Standing Committees, were ordered to be printed for the use of the Senate.

The following message was received from the House of Representatives, by their Clerk, Mr. L. Carrington :

*Mr. President*:—I am directed by the House of Representatives, to inform the Senate that they have elected the Hon. Peter E. Love, of the county of Thomas, their Speaker "pro tempore."

On motion of Mr. Dyer, the Senate then adjourned until 10 o'clock to-morrow morning.

SATURDAY NOVEMBER 9TH, 1861. }  
10 O'CLOCK A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Adams.

The President announced the following Standing Committees :

*On Privileges and Elections*—Messrs. Brown, Fletcher, Anthony, Griffin, Jamison, Swearingen and King.

*On Petitions*—Messrs. Hill, Lane, McRea, James Hilliard, Alexander and Stephens.

*On Enrollment*—Messrs. Dyer, Fort, Gaston, Bothwell, Smith and Ware.

*On Journals*—Messrs. Bell, Killen, Winn, Wright, Thomas and Hilliard.

*On the state of the Republic*—Messrs. Gibson, Bell, Furlow, Seward, Brown, Gordon, Vason and Kendall.

*On the Judiciary*—Messrs. Seward, Vason, Stafford, Lewis, Hansell, Bell, Boyd and Jackson.

*On Finance*—Messrs. Lewis, Mitchell, Hansell, Moseley, Stafford, Dyer, Shewmake and Brown.

*On Internal Improvements*—Messrs. Furlow, Gordon, Beasley, Vason, Shewmake, Stephens and Winn.

*On Public Education and Free Schools*—Messrs. Echols, Anthony, Fort, Dyer, Lane, King, Gaston and Boyd.

*On Banks*—Messrs. Gordon, Hansell, Gibson, Brown, Hill, Stafford and Mitchell.

*On new Counties and County lines*—Messrs. Smith, Simmons, Ware, Wright and Griffin.

*On the Penitentiary*—Messrs. Alexander, Boyd, Echols, Lane, James Hilliard, Kendall and Jackson.

*On the Lunatic Asylum*—Messrs. Kendall, Echols, Fort, Furlow, Anthony, Harris and Bothwell.

*On the Military*—Messrs. Killen, Smith, Seward, Swearingen, Thomas Hilliard, King, Gaston and Vason.



*On Printing*—Messrs. Moseley, Harris, Simmons, McRae, Fletcher, Shewmake and Ware.

*On Deaf and Dumb Asylum*—Messrs. Beasley, Lewis, Simmons, Mitchell, Stafford, Boyd and Alexander.

*On the Institute for the Blind*—Messrs. Winn, Bothwell, Seward, Gibson, Killen, Moseley and Wright.

*On Agriculture*—Messrs. Harris, Furlow, Hill, Beasley, Dyer Jamison and Lane.

*Auditing Committee*—Messrs. Stephens, Swearengen and Griffin.

*Engrossing Committee*—Messrs. Jackson, Fletcher, Fort, McRae, and Thomas Hilliard.

Mr. Bell introduced a bill to prevent, during the existing war, monopoly and speculations in breadstuff and other articles of general use and consumption, which was read the first time.

Mr. Boyd introduced a bill to consolidate the offices of Secretary of State, Surveyor General and State Librarian, and require one person to perform all the duties of said offices, which was read the first time.

Also, a bill to amend the seventh Section of the act entitled an act to lay out and incorporate the Dawson Turnpike Road Company, assented to December 6th 1860, which was read the first time.

Also, a bill to incorporate the town creek and Ralston Branch Hydraulic Hose Mining Company, which was read the first time.

Mr. Brown introduced a bill to amend the charter of the Georgia Home Insurance Company, assented to on 12th December, 1859, which was read the first time.

Mr. Dyer offered a resolution requesting our Representatives in the Confederate Congress to make certain alterations relative to the Séquestration act, which was read and referred to the committee on the State of the Republic.

Mr. Furlow introduced a bill to direct and empower the Interior Court of Sumter county, or a majority thereof, to levy, collect and disburse an extraordinary tax for the support of the indigent families of such soldiers from Sumter county, who are now or may hereafter be absent in the State or Confederate military service, and for other purposes connected therewith, which was read the first time.

Mr. Gibson introduced a bill to exempt practicing physicians in Jefferson county from road and jury duty, which was read the first time.

Also, a bill to authorize the City Council of Augusta to issue one hundred thousand Treasury Notes, and for other purposes, which was read the first time.

Mr. Hansell introduced a bill amendatory of the act requiring the Judges of the Superior Courts to give their charges to Juries in writing, which was read the first time.

Also, a bill to amend the act of 11th December, 1858, compelling the Judges of the Superior Courts to hold adjourned Courts, which was read the first time.

Also, a bill amendatory of the act, assented to December 17th, 1860, providing for the trial of causes in the Superior Court when the Judge presiding is incompetent, and for other purposes, which was read the first time.

Also, a bill to incorporate the Georgia Mutual Insurance Company, which was read the first time.

Mr. Hill introduced a bill to legalize and make valid the action of the Inferior Court of Columbia county, in levying an extra tax for the equipment of the volunteers of said county, and for other purposes, which was read the first time.

Also, a bill to legalize and make valid the action of the Inferior Court of Lincoln county, in levying an extra tax for the equipment of the volunteers of said county and the relief of their families, which was read the first time.

Mr. James Hilliard introduced a bill to direct and empower the Inferior Courts of Stewart and Webster counties to levy, collect and disburse an extraordinary tax for the support of indigent families of such soldiers as have gone, or may hereafter go into the service of the Confederate States or the State of Georgia, and for other purposes, which was read the first time.

Mr. Jackson introduced a bill to repeal the third Section of an act, approved February 20th, 1854, entitled an act to change and simplify the practice and pleadings in this State, and to provide for the service of writs scirefacias in certain cases, and to regulate the admission of testimony in certain cases, which was read the first time.

Mr. Kendall introduced a bill to change the line between the counties of Chattahoochee and Talbot, which was read the first time.

Mr. King introduced a bill to amend an act in relation to the road laws of Camden county, which was read the first time.

Mr. Lewis introduced a bill to authorize Elmira Mathews, a free person of color, to sell herself into perpetual slavery, which was read the first time.

Mr. Mitchell introduced a bill to protect the estates of married women, and for other purposes, which was read the first time.

Also, a bill to amend the laws incorporating the city of Rome in Floyd county, and enlarge the powers of the City Council of Rome in relation to granting license to retail spirituous liquors, which was read the first time.

Mr. Moseley introduced a bill to reduce the salaries and fees of all officers, civil and judicial, in this State, which was read the first time.

Also a bill to allow the Tax Collectors of this State forth-



er time to settle with the Treasurer, which was read the first time.

Mr. Seward introduced a bill to incorporate the Cotton Planters' Bank of Georgia; which was read the first time.

On motion, fifty copies of the same was ordered to be printed for the use of the Senate.

Mr. Shewmake introduced a bill to legalize the proceedings of the Inferior Court of Burke county relative to levying taxes for the benefit of volunteers and their families, and for other purposes, which was read the first time.

Mr. Smith introduced a bill amendatory of an act in relation to the Public Printer, which was read the first time.

James R. Lawhon and S. W. Bloodworth were sworn by the President as Enrolling and Engrossing Clerks.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington :

*Mr. President* :—I am instructed by the House of Representatives to inform the Senate that they have adopted a resolution instructing the Judiciary Committee of the House, to unite with a similar committee on the part of the Senate, to inquire into the power of the General Assembly, to suppress speculations, monopoly and extortions, and to report by bill or otherwise.

Senate took up as the report of the committee of the whole,

A bill to consolidate the offices of Receiver of tax returns and Collector of taxes in this State, and to require the duties thereof, to be discharged by an officer to be styled Tax Receiver and Collector.

Mr. Griffin moved to amend the report by exempting the counties of Lowndes and Berrien, which was lost.

Mr. Thomas Hilliard moved, further, to amend the report by exempting the county of Clinch, which was lost.

Mr. Fletcher moved, further, to amend the report by exempting the county of Tatnall, which was lost.

Mr. Furlow moved, further, to amend the report by offering the following as a substitute, in lieu of the original bill, to-wit:

A bill to consolidate the offices of Tax Receiver and Collector, which was lost.

Mr. Vason moved, further, to amend the report by adding the following proviso :

Provided no Collector shall receive more than fifteen hundred dollars, which amendment was accepted.

Mr. Jackson moved, further, to amend the report by adding the following :

And not less than three hundred dollars in all counties having eight hundred voters, which was lost.

Mr. Jackson moved, further, to amend the report by adding the following proviso :



Provided no Collector shall receive less than three hundred dollars, which was lost.

The report was agreed to, the bill was read the third time and passed.

Senate took up as the report of the committee of the whole,

A bill to alter and amend an act entitled an act to change and alter the county lines between the counties of Dooly and Macon, assented to December 17th, 1860, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

Senate took up as the report of the committee of the whole,

A bill to legalize the proceedings of the Inferior Court of Wilkes county relative to levying taxes for the benefit of volunteers and their families, and for other purposes.

On motion, the same was referred to the joint committee on Finance.

Leave of absence was granted Mr. Gibson for a few days, on special business.

On motion of Mr. Gibson, the rules were suspended, and the Senate took up as the report of the committee of the whole,

A bill to alter the times for holding the Superior Courts in the middle District, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

Mr. Echols offered the following resolution, which was taken up, read and agreed to:

*Resolved*, That a committee of three be appointed, on the part of the Senate, to meet a similar committee on the part of the House, to make arrangements for observing the 15th day of November as a fast day agreeable to the proclamation of the President of the Confederate States.

In pursuance of which, the President appointed Messrs. Echols, Moseley, and Boyd.

On motion, the Senate then adjourned until 10 o'clock Monday morning.

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MONDAY, NOVEMBER 11TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened by prayer by Rev. Dr. Talmage.

The following message was received from the House of Representatives by Mr. Carrington their Clerk, viz:

*Mr. President:* I am directed by the House of Representatives to inform the Senate that they have concurred in the Senate resolution requiring the Judiciary Committee to inquire into the power of the General Assembly to suppress speculations, monopoly and extortion, and to report a bill, &c.

Also, have concurred in the Senate resolution that the Committees on Finance of the Senate and House of Representatives be instructed to act as a joint committee and report appropriate bills to the House of Representatives upon the subjects of authorizing the Inferior Courts of the several counties in this State to levy and equalize an extra tax to defray the expenses of said counties incurred in raising and equipping companies for the war, and providing for the families of said companies and authorizing and requiring the assumption by the State of the existing Confederate war tax.

Also, a resolution in relation to reducing the salaries of all the principal public officers of this State, and have appointed for this purpose as a committee from the House of Representatives Messrs. Smith, of Brooks, Lester, DuBose, Cochran, of Glynn, and Hester.

The following message was received from the House of Representatives by Mr. Carrington their Clerk :

*Mr. President:* I am directed by the House of Representatives to inform the Senate that they have adopted a resolution in relation to a change of the Great Seal of the State, and have appointed as such committee on part of the House Messrs. Lester, of Cobb, and Bigham, of Troup.

Mr. J. H. Patrick, Senator elect from the 31st District, appeared and was sworn in by the President, and took his seat.

Mr. Jackson moved to reconsider a bill to consolidate the offices of Receiver of Tax Returns and Collector of taxes in this State and to require the duties thereof to be discharged by one officer to be styled Tax Receiver and Collector. The motion to reconsider was lost.

On motion of Mr. Seward the rule was suspended, and he offered the following resolution :

*Resolved,* By the Senate that from and after Thursday next no new matter shall be introduced, except such as shall relate to the public credit and providing the means for the military defence of the country; which was read.

Mr. Mitchell moved to suspend the rules for the purpose of introducing the following resolution. The rule was suspended and the resolution as follows introduced :

*Resolved,* By the Senate, the House of Representatives concurring, that the General Assembly will meet in the Hall of the House of Representatives on to-morrow, Tuesday, the 12th inst., at 12 o'clock meridian, for the purpose



of electing two Senators to represent the State of Georgia in the Congress of the Confederate States of America.

A motion to take up the resolution was lost.

The rule being suspended Mr. Harris introduced a bill to authorize the Governor of this State to raise and equip— thousand of cavalry, and — thousand of infantry for the military service of this State, which was read the first time.

The rule being suspended for that purpose the resolution from the House for the appointment of a special committee on reduction was taken up.

Mr. Lewis offered the following amendment “and to request our members in Congress to use their influence to have the salaries of officers of the Confederate government both civil and military reduced,” which was agreed to.

The resolution as amended was then concurred in by the Senate.

The Senate took up as the report of the committee of the whole, a bill to be entitled An Act for the relief of Gabriel Toombs. The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to be entitled An Act to amend the Divorce laws of this State, which was, after discussion, on motion of Mr. Beall referred to the Judiciary Committee.

The Senate took up as the report of the committee of the whole, a bill to be entitled An Act to re-enact and keep in force until the first day of December, 1862, the following Acts to-wit: An Act to grant relief to the Banks and people of this State, and to repeal certain clauses of the Act entitled “An Act to provide against the forfeiture of the several Bank charters in this State, on account of the non-specie payment for a given time and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several Banks and their officers, in this State, for the non-payment of specie, and for other purposes, also, An Act to add a provision to the 4th Section of An Act entitled An Act for the relief of the people and Banks of this State, and for other purposes, passed on the 30th of November, 1860, and to add an additional Section to the said Act. The former of which Acts was passed in the House and Senate over the Governor’s veto by a Constitutional majority, November 30th, 1860, and the latter was assented to December the 20th, 1860.

Mr. Furlow offered the following amendment:

*Provided*, That no person shall be permitted to claim and receive the benefits of this Act until he shall have paid all costs of Courts together with the usual jury fees, unless the defendant is in the military service of the country.

Mr. Vason offered the following amendment:



*Provided*, No chartered Bank shall enjoy the privilege of this Act that shall refuse to receive the Treasury notes of the Confederate States at par.

Mr. Ware offered the following amendment:

No suit shall be commenced against any debtor, and that no cost be collected out of defendants, and that the Statute of limitations cease.

On motion of Mr. Moseley the bill with the several amendments were referred to the Judiciary Committee.

The Senate took up as the report of the committee of the whole, a bill to be entitled An Act to prevent trading with the enemy in time of war. On motion of Mr. Stafford the bill was referred to the Committee on the Judiciary.

The following message was received from His Excellency the Governor by Mr. Waters his Secretary, to-wit:

*Mr. President*: I am directed by His Excellency the Governor, to deliver to the Senate a communication in writing.

On motion the communication was read as follows:

EXECUTIVE DEPARTMENT, }  
Milledgeville, Nov. 11th, 1861. }

*To the Senate*:—I have appointed George P. Harrison, a Brigadier General, under the Act of the Legislature assented to 18th December, 1860, to command the first Brigade of Georgia Volunteers for the defense of the State; and I have appointed Francis W. Capers a Brigadier General to command the second Brigade. I respectfully ask the advice and consent of the Senate in confirmation of these appointments.

JOSEPH E. BROWN.

The Senate took up as the report of the committee of the whole a bill to be entitled An Act to authorize the Inferior Court of Marion county to levy a tax for the support of the soldiers in the Confederate States and their families, which on motion was referred to the joint Committee on Finance.

The Senate took up as the report of the committee of the whole a bill to be entitled An Act to make valid the doings and actings of Augustus B. Raiford and Sterling Glover as Deputy Sheriffs of the county of Sumpter. The report was agreed to, the bill was read the third time and passed.

On motion the following bills were passed over on account of the absence of Mr. Gibson:

A bill to empower and authorize the City Council of Augusta to fix the salary of City judge.

A bill to amend An Act to authorize the settlement of criminal prosecutions in certain cases.

A bill to make valid the proceedings of the Inferior Court and for other purposes.

The following bill was taken up and read the second time, to-wit:

A bill to be entitled An Act to prevent during the existence of the war, monopolies and speculations in breadstuffs and other articles of general use and consumption. Fifty copies ordered to be printed, and on motion of Mr. Bell referred to the Judiciary Committee.

Mr. Dyer from the committee on Enrollment, reported as duly enrolled and ready for signature a resolution against unjust speculation monopoly and extortion.

The following bills were taken up, read the second time and severally referred to the committee of the whole:

A bill to be entitled An Act to incorporate the Town Creek & Ralston Branch Hydraulic Hose Mining Company.

Also, a bill to exempt practising physicians in Jefferson county from road and jury duty.

Also, a bill to authorize the City of Augusta to issue one hundred thousand dollars in Treasury notes.

Also, a bill to amend the Act of the 11th December, 1858, compelling the Judges of the Superior Courts to hold adjourned terms in every county within their Circuits where the business requires until the Docket is cleared, and for other purposes.

Also, a bill to amend the charter of the "Georgia Home Insurance Company," granted on the 12th December, 1859.

Also, a bill amendatory of the Act requiring the Judges of the Superior Courts to give their charges to juries in writing, &c., &c.

The following bills were taken up, read the second time and referred to the Committee on the Judiciary:

A bill amendatory of the Act assented to 17th December, 1860, providing for the trial of causes in the Superior Court where the Judge presiding is incompetent, and to provide against the failure of a Court by reason of the non-attendance of a Judge.

Also, a bill to be entitled An Act to consolidate the offices of Secretary of State, Surveyor General and State Librarian, and require one person to perform all the duties of said offices.

The following bill was taken up, read the second time and ordered to be engrossed:

A bill to be entitled An Act to amend the seventh section of the Act entitled An Act to lay out and incorporate the Dawson Turnpike Company, assented to December 6th, 1860.

The following bill was taken up, read the second time and referred to the joint Finance Committee, to-wit:

A bill to be entitled An Act to direct and empower the Inferior Court of Sumpter county, or a majority thereof, to levy, collect and disburse an extraordinary tax for the support of the indigent families of such soldiers from Sumpter

county who are now or may hereafter be absent in the State or Confederate military service, and for other purposes connected therewith.

The Senate then went into secret Executive session, and after remaining therein for sometime, again resumed its regular business.

On motion of Mr. Brown the rule was suspended and he offered the following resolution:

*Resolved*, That the Secretary be authorized to employ two additional assistants in each of the Engrossing and Enrolling departments as he may deem the same necessary.

Which was read.

On motion of Mr. Hansell the Senate then adjourned until 9 o'clock, to-morrow morning.

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TUESDAY, NOVEMBER 12TH, 1861, }  
9 O'CLOCK A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Brooks.

Mr. Furlow moved to reconsider so much of the Journals of yesterday as relates to the reference of the following bill to the joint committee, to-wit :

A bill to be entitled an act to direct and empower the Inferior Court of Sumter county, or a majority thereof, to levy, collect and disburse an extraordinary tax for the indigent families of such soldiers from Sumter county who are now, or may hereafter, be absent in the State or Confederate military service, and for other purposes connected therewith.

The motion to reconsider prevailed.

Mr. Furlow then moved that the bill be engrossed, which motion was passed.

Mr. Lewis moved to suspend the rule, in order to take up certain bills passed over on account of the absence of Mr. Gibson.

The rule was suspended.

On motion of Mr. Dyer, leave of absence was granted to Mr. Mitchell, the Senator from Floyd.

On motion of Mr. Brown leave of absence was also granted to Mr. Hilliard of Stewart.

The following bill was then taken up as the report of the Committee of the Whole, to-wit :

A bill to be entitled an act to authorize the City Council of Augusta to fix the salary of the Judge of the City Court of said City.



The report of the committee was agreed to. The bill was read the third time and passed.

The Senate also took up as the report of the Committee of the Whole,

A bill to be entitled an act to make valid the proceedings of the Justices of the Inferior Court of Richmond county in providing for the indigent families of absent soldiers, and to authorize said Justices to raise money for that purpose.

Mr. Lewis offered the following amendments, to-wit :

In second section strike out "on the digest of 1862."

At the end of second section add "during the war."

The amendments were adopted, and the bill as amended was read the third time and passed.

Mr. Anthony introduced the following bill :

A bill to be entitled an act to relieve Wm. B. Taylor, of the State of Florida, nominated Executor of Henry L. Taylor, deceased, from legal disability, on account of his non-residence, and for other purposes.

Which was read the first time.

Mr. Anthony also introduced the following resolution :

WHEREAS, our people, in many portions of Georgia suffer not only great inconvenience, but in many cases are compelled to submit to large sacrifices by reason of the exceeding scarcity of specie change,

*Resolved*, Therefore, that the Finance Committee of the Senate, with the same Committee of the House of Representatives, be instructed to investigate the matter, with a view of relieving the necessities of the people, and that they report by bill or otherwise, upon the expediency of allowing the issue of change bills.

Which was read.

Also, the resolution following, to-wit :

*Resolved*, That the Committee on Finance be instructed to enquire into the number of officers, deputies, clerks, and employees, receiving compensation from the public in the cities of Savannah, Augusta, Atlanta, Macon, Columbus, Dalton, Rome, Athens, Milledgeville, Americus, Albany, Cuthbert, Brunswick, Thomasville, and such other cities and corporate towns as they may see proper, with a view to ascertaining how many officers, &c., should be dispensed with; how many should be consolidated, and how much the pay of such corporate officers should be reduced.

2d. This resolution shall extend to and embrace all officers and others distinct from the military in the pay of the State.

3d. The committee shall have power to compel the appearance of witnesses and the production of books and papers.

4th. That the Committee on Military Affairs report upon the expediency of reducing the pay of military officers in the pay of the State, and increasing the pay of the private soldiers.

Which was read.

Mr. Boyd introduced the following bill, to-wit :

A bill to be entitled an act to incorporate Turner Mountain Copper Mining Company, which was read.

Mr. Dyer introduced the following bill :

An act to prevent the peddling of spirituous liquors in the county of Jasper ; which was read the first time.

Mr. Seward, from the Judiciary Committee, made the following report :

*Mr. President :* The Judiciary Committee to whom was referred sundry bills, have, according to order, had the same under consideration, and have directed me to report the same as follows :

“A bill to re-enact the stay laws,” I am directed to report back, with the recommendation that two substitutes be adopted, separating the two distinct subjects matter of legislation, so as to include in the one substitute the subject concerning the banks, and in the other, the subject relating to the relief of the people by the stay of judgments and executions, with a recommendation that the two substitutes in the nature of amendments do pass.

I am also directed to report the following back, without amendments, to-wit :

“A bill to be entitled an act to prevent trading with the enemy in time of war,” with the recommendation that the same do pass.

I am directed also to report back,

A bill to be entitled an act to amend the divorce laws of the State, with an amendment : Insert in the 7th line, 1st section; after the word “plaintiff,” the words “at the time of the separation,” with a recommendation that the said bill as amended do pass.

I am also directed to report back,

A bill to be entitled an act to provide for the appointment of new Trustees in certain cases, with an amendment to the first section of said bill, at the close of, and as a part of, said section, thus : Said Court being hereby authorized in his discretion to require bond and security of such Assignee or Trustee—with a recommendation that, with said amendment, said bill do pass.

Mr. Jackson, from the Committee on the Judiciary, made the following report :

*Mr. President :* I am instructed by the Judiciary Com-

mittee, to whom was referred the following bill, to report the same back to the Senate, and recommend its passage,

A bill to be entitled an act to authorize the Receiver or Receivers appointed under the Sequestration act of the Confederate States to bring suits on claims of alien enemies sequestered in any of the Courts of this State, and maintain suits now pending in any of the Courts of this State, and for other purposes.

Mr. Fletcher introduced the following bills:

An act to confer certain powers and impose certain duties upon the Inferior Court of Tatnall county, and to provide for the collection by taxation of money to aid and assist the Volunteer company or companies now raised or being raised in said county, and to afford such aid to the families of the soldiers absent as be compatible with the resources of the citizens of said county; which was read the first time.

Also, an act to make valid and legal the acts of the Deputy Ordinary or Clerk of the Ordinary, of Tatnall county, in the absence of the Ordinary; which was read the first time.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk:

*Mr. President:* I am directed by the House of Representatives to inform the Senate that they have appointed Messrs. Hester, Hook, and Smith, of Brooks, a committee to act in concert with a similar committee on the part of the Senate to make preparations for observing Friday next, the 15th day of November, as a day of fasting and prayer, in accordance with the proclamation of his Excellency the President of the Confederate States of America.

Mr. Furlow introduced the following bills:

A bill to be entitled an act to allow Clerks elect of our county Courts longer time in which to qualify in certain cases, and for other purposes; which was read the first time.

Also, a bill to be entitled an act to alter and amend an act to incorporate the city of Americus, and to alter and amend an act to incorporate the town of Americus, in the county of Sumter, and for other purposes; which was read the first time.

Mr. Griffin introduced a bill to be entitled an act for the relief of Solomon Newson, of Lowndes county, and for other purposes; which was read the first time.

The rule being suspended, Mr. Harris offered the following resolution:

*Resolved,* That the message of his Excellency the Governor, and the accompanying documents, be and the same is hereby referred to the appropriate Standing Committees.



The resolution was taken up and agreed to.

Mr. King introduced a bill to be entitled an act to legalize and make valid the sale by herself of a certain free woman of color therein named into a state of slavery; which was read the first time.

Mr. Lane introduced a bill to be entitled an act to legalize and make valid certain acts and proceedings of the Inferior Courts of the counties of Walker, Catoosa, and Dade, in equipping and furnishing the Volunteer companies from said counties entering the service of the Confederate States and of this State, and to confer upon said Courts certain powers for like objects in future, and for other purposes; which was read the first time.

Mr. Lane also introduced the following resolution, which was read, and referred to the Finance Committee:

*Resolved*, That it is the opinion of the Senate that a tax ought to be levied upon every gallon of spirituous liquors made or distilled from corn, wheat, rye, potatoes, or other article or articles of bread stuffs, or that is used as common articles of diet among our people, as shall be sufficient to prohibit the same during the war and blockade, the proceeds thereof to be applied to the support of the families of our Volunteers now in the service of the Confederate States and of this State, or who may hereafter enter said service.

Mr. Lewis introduced a bill to be entitled an act amendatory of an act relative to continuances in certain cases therein named, approved the 9th February, 1854; which was read the first time.

Mr. Moseley introduced the following bills, which were read the first time, to-wit:

A bill to be entitled an act to authorize Charles H. Johnson, Administrator on the estate of George Dugan, late of Spalding county, to sell the lands of said estate on the first day of December next.

Also, a bill to be entitled an act to authorize the Judges of the Superior Courts in this State, on application of any woman for alimony, who may be sued by husband for divorce, to hear testimony and determine whether she is in justice entitled to it or not.

Also, a bill to be entitled an act to legalize the proceedings of G. J. Green, Deputy Ordinary in Spalding county.

Mr. Swearingen introduced the following bills, which were read the first time, to-wit:

A bill to be entitled an act to alter and make uniform the present statutes of this State in regard to the payment of Grand and Petit Jurors, and for other purposes.

Also, a bill to be entitled an act to repeal an act entitled

an act to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the Superintendents, Clerks, and those who consolidate returns of elections of said county, for their services.

Also, a bill to be entitled an act to abolish imprisonment for debt in certain cases.

Mr. Hansell introduced a bill to be entitled an act to add an additional section to the Penal Code of Georgia.

The rule being suspended, Mr. Seward moved to take up the report of the Judiciary Committee; which was agreed to.

The following substitute to-wit:

A bill to be entitled an act to continue in force the 4th section of an act passed over the Governor's veto on the 30th day of November, 1860, entitled an act to provide against the forfeiture of the several bank charters of this State, on account of non-specie payment for a given time, and for other purposes, passed in the year 1857; and to suspend the pains and penalties imposed upon the several banks and their officers in this State for non-payment of specie, and other purposes; and, also,

An act to add a proviso to the 4th section of an act entitled an act for the relief of the people and banks of this State, and for other purposes, passed on the 30th November, 1860; and to add an additional section to said act, assented to the 20th December, 1860; which was offered in lieu of the original bill, which was read a third time, as a substitute, and passed.

The following substitute, reported by the same committee, was then taken up and recommended to the same committee:

A bill to be entitled an act to re-enact and continue in force the first, second and third sections of an act to grant relief to the banks and people of this State, and to repeal certain clauses of the act entitled an act to provide against the forfeiture of the several bank charters in this State on account of the non-specie payment for a given time, and for other purposes, passed in the year 1857; and to suspend the pains and penalties imposed upon the several banks and their officers in this State for the non-payment of specie, and for the other purposes, passed over the Governor's veto November the 30th, 1860.

Also, a bill to be entitled an act to authorize the Receiver or Receivers appointed under the Sequestration act of the Confederate States to bring suits on all claims of alien enemies sequestered in any of the Courts of this State, and to maintain all suits which are now pending in any of the Courts, and for other purposes.



Mr. Vason offered the following amendment, to come in at the end of the last line of the first section:

The Court in which the judgment may be rendered shall have discretionary power as to taxing the cost according to the equities of each case; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

A bill to prevent trading with the enemy in time of war, either in this State or at a port in any other State, was taken up, the report was agreed to, taken up the third time and passed.

Also, the bill to be entitled an act to amend the divorce laws of this State, with the amendment reported by the committee.

The report was agreed to: the bill read the third time and passed.

Also, a bill to be entitled an act to provide for the appointment of new Trustees in certain cases, with an amendment.

The report was agreed to; the bill read the third time and passed.

On motion of Mr. Hansell, a bill to be entitled an act to incorporate an Insurance Company in the city of Savannah, to be called the Southern Insurance and Trust Company, was taken up.

Mr. Hansell offered the following amendment:

To strike out the words "not paid up," in the fifth line of the seventh section, and to strike out the words "the city of Savannah," and insert in lieu thereof "any city of Georgia, in the discretion of said Company."

Also, an additional section, as follows:

No rules, by-laws, or regulations of said Company shall conflict with the laws or constitutions of the Confederate States of America, or of the State of Georgia; which bill, with the amendments, on motion of Mr. Hansell, was referred to the Committee on Banks.

Mr. Seward, from the special committee, to whom was referred the bill to incorporate the Planters' Insurance and Trust Company, report the same with the following amendments:

1st. To come in at the end of the first section, "Provided said Company shall not hold in this State, at any time, more real estate than may be necessary for the convenient transaction of business, unless it be purchased *bona fide* in payment of debts.

2d. Insert in the 3d section the names of Wm. Moughon, Nathan McGehee, J. I. Whitaker, and Augustus Seaborn Jones, as commissioners.



3d. Insert in the same section, after the words "Directors of the said Company," the words "three-fourths of whom shall be citizens of the Confederate States."

In the same section; instead of "any person holding bills for an amount of five hundred dollars," insert "and if the said Company shall, upon demand, fail to redeem the said bills with gold or silver coin, any person holding bills for an amount equal to one hundred dollars."

Also, to come in at the end of the fifth section, the following proviso :

Provided, nevertheless, it shall be the duty of the Trustees hereinafter provided for, on or before the first Monday in November in                      year, during the existing war, and for five years after the termination thereof, to make up from the books of the Company a statement shewing the annual average sum of the bills of the said Company put into circulation in this State by them, and make return thereof to the Comptroller General of this State; and the said Company shall, on or before the first day of January thereafter in each year as aforesaid, pay into the Treasury of this State the sum of fifty cents on every hundred dollars of the sum of the annual circulation thus reported, and in default thereof payment may be enforced by a warrant from the Treasurer, directed to the proper officer of the county in which the principal office is located, which warrant shall be sufficient to authorize the said officer to proceed as in case of other sales.

And provided, further, that the payment thus to be paid shall be in full of all taxes to be levied on or paid by the said Company.

In the seventh section change the form of the bill as follows :

This bill will be received by the Planters' Insurance Trust & Loan Company for                      dollars, in payment of any debt due them, and upon demand of the holder, in case the said Company shall fail to redeem the same, in gold or silver coin, when presented in sums of one hundred dollars, will be received for a like sum in exchange at par, for coupon bonds of (here describe bonds) where the Trustees, with whom bonds have been deposited for that purpose; and the committee recommend the passage of the bill as amended.

On motion the report was taken up and fifty copies ordered to be printed, and made the special order for Monday next.

On motion of Mr. Boyd the bill to be entitled an act to amend the seventh section of an act to lay out and incorporate the Dawson Turnpike & Road Company, assented to December the 6th, 1860, was withdrawn.

The Senate took up as the report of the committee of the whole,

A bill to be entitled an act to incorporate the Town Creek & Ralston Branch Hydraulic Hose Mining Company.

Mr. Hansell offered the following amendment, which was agreed to :

To be added to the fourth section, "and also to the owners of such land as said Creek and branch may now flow through or over, as may be just for diverting the water from said streams in whole or in part from said lands."

The report as amended was agreed ; the bill read the third time and passed.

The rule being suspended on motion of Mr. Seward, he introduced the following resolution, which was taken up and agreed to :

*Resolved*, That the Secretary of the Senate inform the Governor that the Senate has agreed and consented and confirmed the nomination of Geo. P. Harrison, as Brigadier General of the first Brigade ; and Francis W. Capers, as Brigadier General of the second Brigade ; and that the Secretary read the Journal in Executive session ; and after this session shall terminate, the same shall be deposited in the office of the Secretary of State. In the meantime the Secretary shall keep said Journal under secrecy until removed by order of the Senate.

The bill to be entitled an act to amend an act to authorize the settlement of criminal prosecutions in certain cases, was taken up, and on motion of Mr. Brown referred to the Judiciary Committee.

The Senate took up as the report of the committee of the whole,

A bill to be entitled an act to amend the charter of the Georgia Home Insurance Company.

Report was agreed to ; bill was read the third time and passed.

The Senate took up the bill entitled an act to exempt practicing physicians from road and Jury duty in the county of Jefferson.

On motion of Mr. Griffin the bill was amended so as to embrace the county of Lowndes.

On motion of Mr. Seward the bill and amendment were laid upon the table for the present.

The bill to authorize the city of Augusta to issue one hundred thousand dollars in Treasury notes, and for other purposes, was taken up and laid upon the table for the present.

The bill entitled an act amending of an act requiring



the Judges of the Superior Courts to give their charges to Jurors in writing, &c., was taken up and referred to the Judiciary Committee.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President :* I am directed by the House of Representatives to inform the Senate that they have passed a bill entitled an act to legalize the adjournment of certain Superior Courts of the Northern Circuit.

The Senate took up as the report of the committee of the whole,

The bill to be entitled an act to amend the act of the 11th of December, 1858, compelling the Judges of the Superior Courts to hold adjourned terms, and for other purposes.

The report of the committee was agreed to ; the bill was read the third time and passed.

The following bill entitled an act to incorporate the Georgia Mutual Insurance Company, was read the second time.

The following bill was taken up and referred to the committee on Finance, to-wit :

A bill to be entitled an act to legalize and make valid the action of the Inferior Court of Columbia county in levying an extra tax for the equipment of the Volunteers of said county, and for the support and relief of the families of said Volunteers, and in issuing bonds, and to authorize said Court to issue additional bonds.

The following bill was taken up and referred to the Finance Committee :

A bill to be entitled an act to legalize and make valid the action of the Inferior Court of Lincoln county in levying an extra tax for the equipment of the Volunteers of said county, and for the support and relief of the families of the said Volunteers.

A bill to be entitled an act to direct and empower the Inferior Courts of Stewart and Webster counties to levy, collect and disburse an extraordinary tax for the support of the indigent families of such soldiers as have gone or may yet hereafter go into the service of the Confederate States and the State of Georgia, and for other purposes, was taken up, read the second time, and ordered to be engrossed.

A bill to be entitled an act to repeal the third section of an act approved February 20th, 1854, entitled an act to change and simplify the practice and pleadings of this State, and to provide for the service of writs of *scire facias* in certain cases, and to regulate the admission of testimony in certain cases, was read the second time and referred to the Judiciary Committee.



A bill to be entitled an act to change the line between the counties of Chattahoochee and Talbot, so as to include the residence of James M. Lowe in the county of Talbot.

Read the second time and referred to the committee on new counties and county lines.

The following bills were read the second time, to-wit :

A bill to amend an act in relation to the road laws of Camden county.

Also, a bill to be entitled an act to authorize Elmira Matthews, a free person of color, to sell herself into perpetual slavery.

Also, a bill to be entitled an act incorporating the city of Rome, in Floyd county, and to enlarge the powers of the city council of Rome in relation to granting license to retail spirituous liquors.

Also, a bill to be entitled an act to reduce the salaries and fees of all officers civil and judicial in this State.

Also, a bill to be entitled an act to allow Tax Collectors of this State further time to settle with the Treasurer.

Also, a bill to incorporate the Cotton Planter's Bank.

A bill to be entitled an act to protect the estates of married women, and to provide the manner of securing the same, and to provide for the distribution thereof, and for other purposes therein mentioned, was read the second time, and referred to the Judiciary Committee.

On motion of Mr. Furlow the Senate adjourned until tomorrow morning at ten o'clock.

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WEDNESDAY, NOVEMBER 13TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. S. J. Pinkerton.

The Senate took up the following bill to-wit:

A bill to direct and empower the Inferior Court of Sumpter county, or a majority thereof, to levy, collect and disburse an extraordinary tax for the support of the indigent families of such soldiers from Sumpter county who are now or who may hereafter be absent in the State or Confederate military service, and for other purposes connected therewith.

The report was agreed to, the bill was read the third time and passed.

The following bill was taken up as the report of the committee of the whole, to-wit:

To incorporate the Georgia Mutual Insurance Company, which on motion was referred to the committee on Banks.

The Senate then took up as the report of the committee of the whole a bill to be entitled An Act to amend An Act assented to the nineteenth day of December, 1860, in relation to the road laws of Camden county.

On motion of Mr. Stafford the title was amended by adding the following to the same, to-wit:

“Also to repeal An Act entitled An Act to authorize the Inferior Court of Early county to levy a road tax approved December the 13th, 1859.”

And further to amend said bill by adding the following section:

SECTION 2. *And be it further enacted*, That An Act entitled An Act to authorize the Inferior Court of Early county to levy a road tax be and the same is hereby repealed.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill, to-wit:

A bill to be entitled An Act to authorize Elmira Matthews a free person of color to sell herself into perpetual slavery.

The report was agreed to, the bill was read the third time and passed.

Mr. Lane, the rule being suspended, offered the following resolution which was read, taken up and passed:

WHEREAS, The presence of free persons of color is deemed by many good citizens of this State as a nuisance, and is exerting a pernicious influence upon the slave population thereof.

And Whereas, there is a number of such free persons and some of them may desire to place themselves in bondage, and no provision having been made by law, by which this can be done:

*Resolved*, That the Judiciary Committee be instructed to investigate the matter and report a bill or otherwise as they may deem proper.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington:

*Mr. President*: I am directed by the House of Representatives to inform the Senate that they concurred in the amendment by the Senate to a resolution of the House in relation to a joint committee of both houses to consider the propriety of reducing the salaries of all the principal public officers of this State.

The message was taken up, and on motion of Mr. Brown the following committee appointed, Messrs. Stafford, Moseley and Hansell.

The Senate took up as the report of the committee of the whole,

A bill to be entitled An Act to amend the several laws passed incorporating the city of Rome, in the county of Floyd, and to enlarge the powers of the City Council of the city of Rome in relation to the granting of license to retail and sell liquors.

Report agreed to, bill read third time and passed.

The bill to be entitled An Act to reduce the salaries and fees of all civil and judicial officers in the State was taken up and referred to the select joint committee on reduction.

The Senate took up a bill to be entitled An Act to allow the Tax Collectors of this State further time to settle with the Treasurer, as the report of the committee of the whole.

Report was agreed to, bill read third time and passed.

The rule being suspended Mr. Mitchell introduced certain papers which, without reading, were referred to the joint Committee on Finance.

The following bill was taken up and read the second time to-wit :

A bill to be entitled An Act to legalize the proceeding of the Inferior Court of Burke county relative to levying taxes for the benefit of volunteers and their families from the county of Burke and to confer powers of taxation and borrowing money for the same and other purposes.

A bill to be entitled An Act amendatory of An Act for the election of Public Printer and to regulate the printing to be required to be performed by the Legislature was taken up, read the second time and referred to the committee on printing.

A bill to be entitled An Act to authorize the Governor of this State to raise and equip — thousand of cavalry, and — thousand of infantry for the military service of the State was taken up, read the second time and referred to the Military Committee.

A bill to be entitled An Act to relieve Wm. B. Taylor of the State of Florida, nominated executor of Henry L. Taylor, deceased, from legal disability on account of his non-residence and for other purposes, was taken up and read the second time.

A bill to be entitled An Act to incorporate the Turner Mountain Copper Mining Company was taken up, and read the second time.

A bill to be entitled An Act to prevent the peddling on spirituous liquors in the county of Jasper was taken up and read the second time.

A bill to be entitled An Act to confer certain powers and to impose certain duties upon the Inferior Court of Tatnall county, and to provide for the collection by taxation of money to aid and assist the volunteer companies now raised or



to be raised in said county, and to afford such aid to the families of the soldiers absent as may be compatible with the resources of citizens of said county, was taken up and read the second time.

A bill to be entitled An Act to make valid and legal the acts of Deputy Ordinary or Clerk of the Ordinary of Tatnall county in the absence of the Ordinary was taken up, read the second time and referred to the Judiciary Committee.

The rule being suspended Mr. Echols introduced the following resolution, which was referred to the Military Committee:

WHEREAS, It appears that we have enemies in our midst, who being lost to all sense of right are burning our bridges and committing other depredations upon our rail-roads for the suppression and prevention of the same be it therefore,

*Resolved*, That the Governor of the State of Georgia be and is authorized to detach from the different volunteer companies two men from each company, or so many thereof, as may be necessary to defend the bridges on the Central and Western & Atlantic railroads.

A bill to be entitled An Act to allow Clerks elect of our County Courts longer time in which to qualify in certain cases, and for other purposes, was taken up, read the second time and referred to the Judiciary Committee.

A bill to be entitled An Act to alter and amend An Act entitled An Act to incorporate the city of Americus, and to alter and amend An Act to incorporate the town of Americus in the county of Sumpter and for other purposes, was taken up and read the second time.

A bill to be entitled An Act for the relief of Solomon Newsom, of Lowndes county, and for other purposes was taken up and read the second time.

A bill to be entitled An Act to legalize and make valid the sale by herself of a certain free woman of color therein named, into a state of slavery, was taken up and read the second time.

A bill to be entitled An Act to legalize and make valid certain acts and proceedings of the Inferior Courts of the counties of Walker, Catoosa and Dade in equipping and furnishing the volunteer companies from said counties entering the service of the Confederate States and of this State, and to confer upon said Courts certain powers for like objects in future, and for other purposes, was taken up and read the second time.

The rule being suspended Mr. Bell introduced the following resolution, which was read:

*Resolved*, That the twenty-first rule adopted for the government of the Senate at this session be amended as fol-

lows, to-wit: by inserting between the word "committee" and the word "and" in the tenth line of said rule the words "*and a committee on local bills.*"

A bill to be entitled An Act relative to continuances in certain cases therein named, approved the 9th February, 1854, was taken up, read the second time and referred to the Judiciary Committee.

A bill to be entitled An Act to authorize Charles H. Johnson, administrator of the estate of George Dugan, late of Spalding county deceased, to sell the lands of the estate of the said George Dugan on the first Monday in December next, was taken up and read the second time.

The rule being suspended Mr. Brown moved to take up the following resolution:

*Resolved*, That the Secretary be authorized to employ two additional assistants in each of the Engrossing and Enrolling departments as he may deem the same necessary.

The resolution was taken up and read.

Mr. Seward offered the following amendment:

"And that the Judiciary Committee be authorized to employ a Clerk, and that the Secretary be authorized to employ an assistant Journalizing Clerk."

Which amendment was agreed to, the resolution as amended was passed.

A bill to be entitled An Act to authorize the Judges of the Superior Courts in this State on application of any woman for alimony who may be sued by her husband for divorce to hear testimony and determine whether she is in justice entitled to it or not, was taken up, read the second time and referred to the Judiciary Committee.

A bill to be entitled An Act to legalize the proceedings of G. J. Green, Deputy Ordinary in Spalding county was taken up, and read the second time.

A bill to be entitled An Act to alter and make uniform the present Statutes of this State in regard to payment of Grand and Petit jurors and for other purposes was taken up read the second time and referred to the Judiciary committee.

A bill to be entitled An Act to repeal An Act entitled An Act to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the Superintendents, Clerks, and those who consolidate returns of elections of said county, for their services, was taken up, read the second time and ordered to be engrossed.

A bill to be entitled An Act to abolish imprisonment for debt on certain conditions was taken up, read the second time and referred to the Judiciary Committee.

A bill to be entitled An Act to add an additional section to the Penal Code of Georgia, was taken up and read the second time.



A bill from the House of Representatives to be entitled An Act to legalize the adjournment of certain Superior Courts in the Northern Circuit was read the first time.

By leave of the Senate Mr. Shewmake introduced a bill to be entitled An Act to provide for the safety of property or funds in the hands of Guardians, Administrators or Administratrixes &c., which was read the first time.

Mr. Seward introduced the following resolution which was agreed to :

*Resolved*, That one hundred copies of the documents accompanying the Governor's Message be printed for the use of the Senate, except the report of the Comptroller General.

By leave of the Senate Mr. Patrick introduced a bill to be entitled An Act to lay out and form a new county from parts of the counties of Franklin and Habersham, to organize the same, and for other purposes, which was read the first time.

On motion of Mr. Kendall the Senate adjourned until ten o'clock, to-morrow morning.

THURSDAY, NOVEMBER 14TH, 1861. }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Pinkerton.

On motion of Mr. Furlow, Mr. Patrick was added to the committees on Finance and Internal Improvement.

Leave of absence was granted to Mr. Furlow, Wright, Smith and Harris for a few days.

Mr. Jackson moved to reconsider so much of the Journals of yesterday, as relates to the resolution authorizing the Secretary of the Senate to employ an additional Journalizing Clerk.

The motion was not agreed to.

Mr. Dyer from the committee on enrollment, reports as duly enrolled and ready for signature, a resolution requiring the Judiciary Committee to enquire into the power of the General Assembly to suppress unjust speculation monopoly and extortion, and to report a bill, &c.

Also, a resolution from the Senate instructing the Finance Committees of the Senate and House of Representatives, to report appropriate bills authorizing the Inferior Courts of the several counties of the State to levy an extra tax to defray expenses incurred in raising and equipping companies, &c., and providing for the equalization of said burthens throughout the State, and authorizing the assumption by the State of the Confederate war tax.



Mr. Lewis from the committee on Finance, made the following report :

The committee on Finance have considered the resolution which had been referred to them, in reference to the policy of levying a prohibitory tax on spirituous liquors manufactured from articles of prime necessity, &c., have instructed me to report :

1st. That it is the opinion of the committee, that, if such law be politic and wise, it can originate only in the House of Representatives.

The committee further report that probably there would be no impropriety in enacting a law laying a specific tax on the proposed articles, not amounting to prohibition, for the purpose of revenue.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington :

*Mr. President*.—I am directed by the House of Representatives to inform the Senate that they have passed the following bills :

A bill to consolidate the offices of Secretary of State and Surveyor General.

Also, a bill to change the name of the county of Cass, and for other purposes.

Also, a bill to authorize the Ordinary of Brooks county to draw a balance of the Educational Fund due said county for the year 1860.

Also, the House have adopted a resolution to bring on the election of two Confederate States Senators at 11 o'clock A. M., on Tuesday next, 19th inst.

Mr. Echols from a special committee, reported as follows :

The committee appointed to act with a similar committee of the House to make suitable preparations for the due observance of Friday the 15th inst., as a day of fasting and prayer in accordance with a proclamation of the President of the Southern Confederacy and the Governor of this State, beg leave to report :

That they have procured the services Rev. H. H. Tucker, D. D., who will preach to both Houses in the Representative Hall at 11 o'clock A. M., on Friday the 15th inst.

The rules being suspended, Mr. Anthony introduced the following resolution, which was read and referred to the committee on Finance :

*Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby resolved by the authority of the same, That in view of the troubles now upon us as a people, it is the imperative duty of all the planters of this State to convene in their respec-*

tive counties on the first Monday in December next, or as soon thereafter as may be practicable, to take into consideration the great importance of reducing the quantity of cotton to be planted for the ensuing year at least one half, to secure an abundant harvest of corn, wheat, rye, oats, barley and other grain. And also, to urge the necessity of making every possible effort to increase the stocks of cattle, sheep, hogs, &c.

It being the sense of this General Assembly, that our final success in the present struggle for independence rests in no small degree upon the agriculturists of Georgia.

Common humanity and dictates of a generous patriotism call aloud for concert of action and indefatigable energy on the part of the hardy farmers of our noble State, now threatened by a tyrannical and cruel foe.

Mr. Seward, Chairman of the committee on the Judiciary, made the following report, to-wit:

The committee on the Judiciary, to whom was referred a bill amendatory of the act requiring the Judges of the Superior Courts to give their charges to Jurors in writing, have had the same under consideration, report the same back to the Senate and recommend that it do not pass.

Also, a bill to abolish imprisonment for debt on certain conditions and report the same back to the Senate, and recommend it do not pass.

Also, a bill to amend an act assented to 17th December, 1860, providing for the trial of causes in the Superior Court when the Judges presiding are incompetent and to provide against the failure of a Court by reason of the non-attendance of a Judge, report the same back to the Senate and recommend it do not pass.

Also, a bill to authorize Judges of the Superior Courts in this State on application of any wife for alimony, who has been sued by her husband for divorce, to hear the testimony of and determine accordingly, report the same back to the Senate and recommend it do not pass.

Also, a bill to allow Clerks elect of our county Courts longer time in which to qualify in certain cases, and for other purposes, report the same back to the Senate and recommend it do not pass.

Also, a bill in relation to continuances in certain cases therein mentioned, report the same back to the Senate and recommend it do not pass.

Also, a bill to alter and make uniform the present Statutes of this State in regard to payment of Grand and Petit Jurors, and for other purposes, report the same back to the Senate and recommend it do not pass with amendments.

Also, a bill to make valid and legal the acts of Deputy Ordinary of Tatnall county in the absence of the Ordinary,



report the same back to the Senate and recommend it do not pass.

Also, a bill recommitteed to the committee re-enacting the act of 30th November, 1860, in regard to the Banks of this State, report the same back to the Senate with a substitute in the nature of an amendment, and recommend it do pass.

Also, a bill to protect the estates of married women of securing the same, and to provide for the distribution thereof, and for other purposes, report the same back to the Senate and recommend it do not pass.

Also, a bill to repeal the third Section of an act, approved February, 1854, entitled an act to change and simplify the practice and pleadings in this State of writs of scire facias in certain cases, and to regulate the admission of testimony in certain cases, report the same back to the Senate and recommend the same do not pass.

Also, a bill to amend an act to authorize the settlement of criminal prosecutions in certain cases, report the same back to the Senate and recommend it do not pass.

Also, a bill to consolidate the offices of Secretary of State, Surveyor General and State Librarian, and require one person to perform all the duties of said offices, report the same back to the Senate, with a substitute, and recommend the same do pass.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington:

*Mr. President* :—I am directed by the House of Representatives to inform the Senate that they have concurred in the following Senate resolutions :

A resolution that the Standing Committees of the Senate and House on the Deaf and Dumb Asylum be constituted a joint standing committee for certain purposes therein mentioned.

Also, a resolution that the Rev. Messrs. Tucker and Clark, agents for Georgia Hospital Association, be allowed to address the General Assembly in the Hall of the House of Representatives to day, at 12 M.

Mr. Vason from the Judiciary Committee made the following minority report:

The undersigned members of the Judiciary Committee beg leave to make a minority report, recommending that the bill referred to them, entitled an act to abolish imprisonment for debt upon certain conditions, &c., do pass, it being our opinion that the clause of our new Constitution, which provides for the security of the liberty of the citizens of Georgia, should be more fully provided for than it has been done by the statutes of our State.

D. A. VASON.

S. S. STAFFORD.



Mr. Moseley from the committee on Printing reported as follows :

The committee on Printing have had under consideration, A bill to be entitled an act amendatory of an act in relation to Public Printer, and report the same back to the Senate, with an additional section as an amendment, and recommend its passage, to-wit :

SEC. 2d. *Be it further enacted by the authority aforesaid,* That the persons having the lowest bid shall before giving bond, take and subscribe the following oath—that is to say :—

“I do solemnly swear that I have not entered into any combination with any person or promised to give any person or persons any money, or the promise of it, to prevent them from under bidding me for the State Printing.”

Mr. Harris from the committee on agriculture made the following report :

The committee on agriculture have instructed me to make the following report on the act to incorporate the Direct Trade & Banking Company, and for other purposes, and recommend the passage of the following bill as a substitute for the same, to-wit :

A bill to be entitled an act to incorporate the Direct Trade and Navigation Company of Georgia, and for other purposes.

The rule being suspended, Mr. Killen offered the following resolution, which was read and taken up :

The Rev. Messrs. Clark and Tucker, agents for the Georgia Hospital Association, being present on a mission in behalf of said Association,

*Resolved by the Senate, with a concurrence of the House of Representatives,* That the Senate repair to the Representative Hall, this day, at twelve o'clock M., to hear from said gentlemen on the subject of their mission, for one hour.

Mr. Hansell moved to amend by striking out the hour and inserting the hour of 3 o'clock this evening, which was lost.

The resolution was then adopted and ordered to be transmitted, immediately to the House of Representatives.

Mr. Beaseley offered the following resolution :

*Resolved,* That the Standing committees of the Senate and House of Representatives, on the Deaf and Dumb Asylum, be constituted a joint standing committee, for the investigation of the affairs of the same ; that His Excellency the Governor, be requested to furnish said committee any documents or communications which he may have in his possession pertaining to the same, and that this resolution be transmitted to the House of Representatives for its con-

currence, immediately, which was taken up, read and agreed to.

Mr. Gordon from the committee on Banks reported that the committee have had under consideration,

A bill to be entitled an act to incorporate an Insurance Company in the city of Savannah, to be called the Southern Insurance & Trust Company, and report the same back with certain amendments, and recommend that it do pass.

Also, a bill to be entitled an act to incorporate the Georgia Mutual Insurance Company, which they report back to the Senate, and recommend that it do pass.

Mr. Bell reported a bill to be entitled an act to carry into effect the 15th clause of the 1st article of the Constitution of the State of Georgia, which was read the first time.

Mr. Echols offered the following resolution which was read, to-wit :

As it is the duty of every Christian people to provide for the moral and religious instruction of its brave soldiery ; and whereas, we have no chaplains or religious teachers connected with any of the regiments of the army of this State.

*Be it therefore resolved by the General Assembly of Georgia,* That from and after the passage of this resolution it may be lawful for the Governor of this State to commission any ordained Minister of the Gospel as Chaplain to any of the Regiments now in service, or which may hereafter be mustered into service for the defence of the State of Georgia ; provided said Ministers shall first be elected by the Regiment to which he is attached, and the same made known to the Governor by the Commanding Colonel.

*Resolved, further,* That the said Chaplain so commissioned by the Governor, shall receive from the military fund, for the faithful performance of his duty, sixty dollars per month without rations, and shall receive his pay at the same time and same way as the balance of his regiment.

Mr. Fort reported a bill to fix the fees of the Ordinaries of the State of Georgia, which was read the first time.

Mr. Gordon reported a bill to amend an act entitled an act to provide for the public defence, and for other purposes, assented to December 18th, 1860 ; which was read the first time.

Mr. Hansell reported a bill to amend the act incorporating the North-Western Bank of Georgia.

Also, a bill to alter and amend the several acts incorporating the city of Atlanta in Fulton county, which were severally read the first time.

Mr. Jackson reported a bill for the relief of Andrew M. Hamilton of the county of Whitfield, which was read the first time.



Mr. Mitchell reported a bill for the relief of Moses Formby, of the county of Floyd, a school teacher, under the acts in relation to common schools.

Also, a bill to be entitled an act to authorize Dr. Rufus Barker, of the county of Floyd, to practice medicine, and to grant him the right to collect by law or otherwise, all proper claims for professional services and for other purposes, &c., which were severally read the first time.

Mr. Moseley reported a bill to be entitled an act for the relief and protection of the right and property of the minor children of Sophia McBride of Haralson county Georgia.

Also, a bill to be entitled an act to authorize the Ordinary of the county , to admit to record the last will and testament of Thomas Allen, late of said county, deceased, and for other purposes, which were severally read the first time.

Mr. Seward reported a bill to authorize the administrator of the estate of James Connell, deceased, to sell the real estate of said deceased at private sale, which was read the first time.

The Senate took up as the report of the committee of the whole,

A bill to incorporate the Cotton Planters' Bank of Georgia, to give steadiness to the value of cotton, to make it available as the basis of a sound circulating medium for the relief of the industrial interests of the country, and at the same time to enable the planters to control their own cotton until the blockade now attempted to be enforced is removed; to guard the planters against an unavoidable necessitous sale of their cotton at less than remunerating prices, and against sacrifices alike detrimental to their interests, consequent upon their being forced to draw upon and accept inadequate advancements upon their crops, paying heavy commissions, interests, insurance and storage, ruinous to the producers of this great Southern Staple, and for other purposes.

Mr. Seward offered the following amendment to-wit:

*Be it enacted*, That at any time after any planter shall subscribe stock in said bank, in cotton, he shall have the right to direct his cotton so subscribed to be sold when ever its market value shall rise above the sum of thirty dollars per bale, so as to meet the amount issued thereon, and the surplus shall be paid over to said planter, so as to allow each planter to determine as to the market, and to exercise his own judgment, without restriction, as to when the cotton subscribed shall be sold, without loss to the Bank.

*And be it further enacted*, That any person who may subscribe stock in cotton, and the same has been used as the basis of circulation and thirty dollars is issued thereon, he



shall be at liberty to sell his stock or the cotton which represents his stock, subject to the liability resting upon it for the bills that may be issued thereon.

*And be it further enacted*, That subscriptions shall be received in sea island cotton at fifteen cents per pound—a bale to be estimated at three hundred pounds per bale, and constitute stock in said bank.

*And be it further enacted*, That the bills of said Bank shall be received in payment of taxes to the State of Georgia.

Mr. Hansell offered the following amendment, to-wit :

Strike out the words “real estate,” and insert in lieu thereof, “such real estate as may be necessary for their business, and such as they may buy bona fide in collecting any debt or debts due said Company,” and no other lands.

Mr. Jackson offered the following amendment, to-wit :

And that this charter shall expire in twelve months after peace is made or declared.

On motion of Mr. Seward, the said bill, with the amendments, was made the special order of the day for Thursday next, and fifty copies of the bill and amendments ordered to be printed.

The rule being suspended, Mr. Ware offered the following resolution, which was read :

Whereas, the people of Georgia demand a short session of the present General Assembly; and whereas, it is right and proper that the public business should be speedily transacted, and the public resources judiciously husbanded, therefore,

*Resolved*, That no new matter be received by the Senate, except such as may relate to the public defence, from and after Tuesday next.

A motion to take up the resolution was lost.

A bill to legalize the proceedings of the Inferior Court of Burke county relative to levying taxes for the benefit of Volunteers and their families from the county of Burke, and to confer powers of taxation and borrowing money for the same, and for other purposes, was taken up, read the second time and referred to the committee on Finance.

The Senate took up as a report of the committee of the whole,

A bill for the relief of Wm. B. Taylor of the State of Florida, nominated Executor of Henry L. Taylor, deceased, from legal disability on account of his non-residence, and for other purposes.

Mr. Harris offered the following amendment, to-wit :

*Provided*, the said Mr. Taylor shall give bond and security residing in the county of Randolph in double the amount

of property belonging to said estate, as in the case of Administrators in this State, which was accepted.

The report, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to incorporate the Turner Mountain Copper Mining Company.

The report was agreed to, the bill was read the third and passed.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk.

*Mr. President* :—I am directed by the House of Representatives to inform the Senate that they have passed a bill to be entitled an act to authorize the Administrator of the late William Williams, of Harris county, to sell all the real estate of said deceased, at the Court House of Harris county.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill to be entitled an act to incorporate an Insurance Company in any city in Georgia, to be called the Southern Insurance and Trust Company.

The committee on Banks, to whom it was referred, reported in favor of its passage.

The report was agreed to, the bill read the third time and passed.

The Senate took up as the report of the committee on Banks,

A bill to incorporate the Georgia Mutual Insurance Company.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to prevent the peddling of spirituous liquors in the county of Jasper.

Mr. Shewmake offered the following section as an amendment:

*And be it further enacted*, That so far as applicable, all the provisions of this act shall be, and the same are hereby made applicable to the county of Burke and Whitfield county; which amendment was agreed to.

The report, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee, of the whole,

A bill to confer certain powers, and to impose certain duties upon the Inferior Court of Tattnall county, and to provide for the collection by taxation of money to aid and as-

sist the Volunteer company or companies now raised, or to be raised in said county, and to afford such aid to the families of the soldiers absent as may be compatible with the resources of said county.

The report was agreed to, the bill was read the third time and passed.

Mr. Echols moved to take up the report of the committee appointed to act with a similar committee of the House, to make suitable preparations for the observance of Friday the 15th inst., as a day of fasting and prayer.

The motion was agreed to.

Leave of absence was granted to Mr. Moseley for a few days, from to-morrow.

The following message was received from the House of Representatives :

*Mr. President* :—I am directed to inform the Senate that the House of Representatives is now ready to receive the Senate in their Hall, to hear the address of Messrs. Rev. Prof. Tucker and Rev. J. O. A. Clarke.

On motion, the Senators repaired forthwith to the Hall of the House of Representatives, and immediately after the delivery of the report and addresses of said agents, returned to the Senate chamber, when

Mr. Killen offered the following resolution :

*Resolved*, That the thanks of the General Assembly are due and are hereby tendered to the Rev'ds Messrs. Clark and Tucker, agents for the Georgia Relief and Hospital Association for the able report and address delivered, this day, in the Representative Chamber.

*Resolved*, 2d. That a committee of three be appointed on the part of the Senate, to solicit a copy of said report and written documents for publication, and that five thousand copies be printed for the use of the Senate and for distribution, which was agreed to.

The President of the Senate appointed as such committee, Messrs. Killen, Gordon and Seward.

Senate adjourned till 3 1-2 o'clock P. M.

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#### AFTERNOON SESSION, 3 1-2 O'CLOCK P. M.

Leave of absence, for a few days, was granted to Messrs. Dyer, Winn and Killen.

The Senate took up as the report of the committee of the whole,

A bill to exempt practicing physicians in Jefferson county from Road and Jury duty.



Mr. Griffin moved to amend the same by inserting after the word Jefferson county, the county of Lowndes, which amendment was agreed to.

The Senate refused to agree to the report of the committee, as amended, and the bill was lost.

The Senate took up as the report of the committee of the whole,

A bill to authorize the city of Augusta to issue one hundred thousand dollars of Treasury notes.

The report was agreed to, the bill was read the third time and passed.

Also a bill to alter and amend an act entitled an act to incorporate the city of Americus, and to alter and amend an act to incorporate the town of Americus in the county of Sumter, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

Also, a bill for the relief of Solomon Newsom, of Lowndes county, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

Also, a bill to legalize and make valid the sale, by herself, of a certain free woman, of color, therein named, into a state of slavery.

Mr. Lane offered the following amendment to the same :

*Provided*, That three discreet and prudent persons shall be selected to appraise such person at a moderate cash value, not less than two thirds of the real worth of said free person of color, and that the purchaser of said person shall pay said sum into the Treasury of the county where said free person of color habitually resides, to be applied to the relief of the indigent families of the volunteers now in the service of this State or the Confederate States, or may hereafter go into service.

Mr. Vason offered the following amendment to the amendment, which was accepted.

*Provided, further*, That said Peeples refuse to take such free person at the price, then such free person shall have the privilege of choosing any other person as her owner who will pay the price.

Mr. Griffin moved to amend the report by providing that in case of the death of the party proposed as purchaser, the woman be allowed to select some other master.

Mr. King moved the previous question, which was not seconded.

Mr. Griffin withdrew his amendment.

Mr. Mitchell moved to amend the amendment as follows, to-wit :

That the said Cherry and her increase, if any, shall become the absolute property of the said Peeples upon the payment of the money.

This amendment was also accepted.

The amendment, as amended, was lost.

The report was then agreed to, the bill was read the third time and passed.

Also, the following engrossed bill, to direct and empower the Inferior Courts of Stewart and Webster counties, to levy and collect and disburse an extraordinary tax for the support of the indigent families of such soldiers ~~as~~ have gone, or may hereafter go into the service of the Confederate States or the State of Georgia, to appoint commissioners for the disbursement of the same, to legalize the orders or judgments of the Inferior Courts of said counties levying an extraordinary tax for the fiscal year 1861, and provide for the collection of said taxes; which was read the third time and passed.

On motion of Mr. Seward, the Senate took up as the report of the committee of the whole,

A bill amendatory of the act requiring the Judges of the Superior Courts to give their charges to Jurors in writing in the cases therein mentioned, assented to the 17th December, 1860.

The committee on the Judiciary to whom said bill was referred, reported the same back to the Senate, and recommend that said bill do not pass; and pending discussion thereon, on motion, the Senate adjourned until Saturday next, 9½ o'clock A. M.

SATURDAY, NOVEMBER 16TH, 1861, }  
9½ O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by Rev. Mr. Adams.

Mr. Gibson moved to reconsider so much of the Journal of Thursday as relates to the vote by which a bill to exempt practising physicians in the county of Jefferson from road and jury duty was lost. The motion to reconsider prevailed.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President:* I am directed by the House of Representatives to inform the Senate that they have passed the following bills:

A bill to be entitled an act to incorporate the Cavender Creek & Fields Gold Mining Company, and for other purposes therein mentioned.

Also, a bill to be entitled an act to alter and amend an act to incorporate the town of Jonesboro in the county of Clayton, and to provide for the election of Marshall and Clerk.

Also, a bill to be entitled an act to give the several Justices Courts in this State jurisdiction in cases sounding in damages in certain cases.

Also, a bill to be entitled an act to authorize the Ordinary of DeKalb county to grant letters of administration with the will annexed on the estate of Thomas H. Chivers to Harriet E. Chivers of said county.

Also, a bill to be entitled an act to amend an act approved December 17, 1859, to prescribe the time of holding elections for Senators in the Congress of the United States from the State of Georgia.

The rule being suspended on motion of Mr. Seward the Senate took up and read for the first time the following bill from the House of Representatives :

A bill to be entitled an act to authorize the Ordinary of Brooks county to draw a balance of the educational fund due said county for the year 1860.

Mr. Alexander presented a petition from certain citizens of Gwinette county, which on his motion was referred to the joint Finance Committee.

Mr. Bell introduced the following resolution :

WAEREAS, The revised Constitution of this State imposes the duty upon this session of the General Assembly of carrying into effect various provisions of said Constitution, therefore,

*Resolved*, That the Judiciary Committee be and is hereby instructed to inquire what provisions of the Constitution require legislation at the present session, and report such bills as may be necessary for carrying into effect said Constitution.

Which was read.

The following bills were reported and severally read the first time :

Mr. Dyer—A bill in reference to costs in criminal cases, and to provide for the payment of witnesses by the party convicted.

Also, a bill to authorize continuances pending in the Superior and Inferior Courts of this State, during the war, in certain cases.

Mr. Hansell—A bill to be entitled an act to amend an act incorporating the Bank of Fulton.



Mr. Jackson—A bill to be entitled an act amendatory of an act entitled an act to incorporate the Dalton City Company, approved February 23, 1850, and to add an additional section thereto, and for other purposes.

Mr. Mitchell—A bill to authorize Susan B. G. McGuire, guardian of George L. McGuire, to turn over to her said ward his proper share of her deceased husband's estate, and to make valid the same, and for other purposes.

Mr. Ware—A bill to be entitled an act for the relief of William E. West of the county of Polk.

Mr. Beasley—by leave of the Senate—A bill more effectually to organize the Georgia Institution for the education of the Deaf and Dumb, and for other purposes.

Leave was granted to Mr. Ware to withdraw the bill to be entitled an act for the relief of William E. West of the county of Polk.

The President presented to the Senate the correspondence between the Governor and the Banks as to the sale of State Bonds, which, without reading, was referred to the committee on Finance.

The rule being suspended the Senate, on motion of Mr. Brown, took up the resolution from the House of Representatives, to bring on the election of two Senators to represent the State of Georgia in the Congress of the Confederate States.

Mr. Seward moved to strike out in said resolutions Tuesday, the 19th inst., and to insert in lieu thereof, Tuesday, the 26th inst., which amendment was agreed to.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington:

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have passed the following bill:

A bill to be entitled an act to authorize the removal of the Banks from the city of Savannah.

And I am further directed to transmit the same to the Senate forthwith.

The rule being suspended, on motion of Mr. Gordon, the Senate took up and read the first time the following bill from the House of Representatives, to-wit:

A bill to authorize the several Banks and banking institutions located at Savannah, to remove their places of business into the interior during the invasion of the enemy.

The Senate resumed the consideration of the unfinished business of Thursday, which was the report of the Judiciary Committee upon a bill amendatory of an act to require the Judges of the Superior Courts to give their charges to jurors in writing in cases therein mentioned, assented to December 17th, 1860.

The Judiciary Committee to whom it was referred reported adversely to its passage.

Mr. Hansell moved to amend the report by striking out the word "felony" wherever it occurs as descriptive of the class of cases embraced in said bill, which was lost.

The report was agreed to, and the bill lost.

The following message was received from His Excellency the Governor by Mr. Campbell his Secretary, to-wit:

EXECUTIVE DEPARTMENT, }  
Milledgeville, Ga., Nov. 16th., 1861. }

*To the Senate:*

I hereby nominate and propose, with the advice and consent of the Senate, to appoint General Henry R. Jackson a Major General to command the first Division of Georgia Volunteers now being organized for the defence of the State.

JOSEPH E. BROWN.

Which, on motion of Mr. Bell, was read.

The Senate took up as the report of the committee of the whole,

A bill to abolish imprisonment for debt, on certain conditions.

The Judiciary Committee to whom said bill had been referred reported it back to the Senate with the recommendation that the same do not pass.

A minority of said Committee reported in favor of said bill and recommended that the same do pass.

Mr. Vason made a motion that the Senate adopt the minority report in lieu of the majority report.

On motion of Mr. Gibson the report was laid upon the table for the present.

The Senate took up as the report of the committee of the whole,

A bill amendatory of the act assented to 17th December, 1860, providing for trial of causes in the Superior Court where the Judge presiding is incompetent, &c., and to provide against the failure of a Court by reason of the non-attendance of a Judge.

By leave of the Senate the bill was withdrawn.

The Senate took up as the report of the committee of the whole,

A bill to authorize Judges of the Superior Court in this State on application of any wife for alimony who has been sued by her husband for divorce to hear testimony and determine accordingly.

Which on motion was laid upon the table for the present.

The Senate took up as the report of the committee of the whole,

A bill to allow Clerks elect of our County Courts longer

time in which to qualify in certain cases, and for other purposes.

The Judiciary Committee to which the bill was referred, reported adversely to its passage.

The report was agreed to, and the bill was lost.

The Senate took up as the report of the committee of the whole,

A bill amendatory of an act relative to continuances in certain cases therein named, approved 9th February, 1854.

On motion of Mr. Seward the bill was re-committed to the Judiciary Committee.

On motion of Mr. Seward, Mr. Gordon was added to the Judiciary Committee.

The Senate took up as the report of the committee of the whole,

A bill to alter and make uniform the present Statutes of this State, in regard to the payment of Grand and Petit jurors, and for other purposes.

The Judiciary Committee to whom this bill was referred reported the same back to the Senate with the following amendment, to-wit:

By inserting in the 2d section, after the words "Sheriff or Clerk of said Court" the words "out of the party cost in said case," and recommended that the bill as amended do pass. The amendments were agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to protect the rights of married women, to provide the manner of securing the same, to provide for the distribution thereof, and for other purposes.

Which, upon motion, was made the special order for next Wednesday week.

The Senate took up as the report of the committee of the whole,

A bill to re-enact the act of 30th November, 1860, in regard to the Banks of this State.

The Judiciary Committee to whom this bill was referred reported the same back to the Senate with a substitute as an amendment entitled a bill to re-enact the act of 30th November, 1860, and re-enact a part of the act 20th Dec., 1860, and recommended that said substitute do pass in lieu of the original bill.

Mr. Vason offered the following amendment, to-wit:

*Provided*, also, that each of the chartered Banks of this State claiming the provisions of this act shall be and are hereby required to issue and keep in circulation during their suspension at least five per cent. upon their capital stock in small bills as low as fifty cents and not exceeding five



dollars each, which said small bills the said Banks shall redeem in gold and silver when called upon by any person desiring the same for change and not for purposes of speculation, in sums not exceeding fifty dollars.

On motion the bill, with the substitute and amendment, was referred to the Committee on Banks.

The Senate took up as the report of the committee of the whole,

A bill to make valid and legal the acts of the Deputy Ordinary or Clerk of the Ordinary of Tatnall county in the absence of the Ordinary.

The Judiciary Committee to whom this bill was referred reported the same back to the Senate with a recommendation that the bill do not pass.

Which report was agreed to, and the bill was lost.

The Senate took up as the report of the committee of the whole,

A bill to repeal the third section of an act approved February 20, 1854, entitled an act to change and simplify the practice and pleading in this State, and to provide for the service of writs of *habeas corpus* in certain cases and to regulate the admission of testimony in certain cases.

The Judiciary Committee to whom this bill had been referred reported the same back to the Senate with a recommendation that the bill do not pass.

The report was agreed to, and the bill lost.

The Senate took up as the report of the committee of the whole,

A bill to amend an act to authorize the settlement of criminal prosecutions in certain cases, and to regulate more particularly the duties of the Attorney and Solicitors' General, and fix their liabilities, approved Feb. 22d, 1850.

The Judiciary Committee to whom this bill was referred reported it back to the Senate with the recommendation that the same do not pass.

The report was not agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to consolidate the offices of Secretary of State, Surveyor General and State Librarian, and require one person to perform all the duties of said offices.

The Judiciary Committee to whom this bill was referred reported the same back to the Senate with a substitute as an amendment entitled a bill to consolidate the offices of Secretary of State and Surveyor General and for other purposes, and recommended that said substitute do pass in lieu of said original bill.

The amendment was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to authorize Charles H. Johnson administrator on the estate of George Dugan late of Spalding county to sell the lands of said estate, on the first day of December, next.

Mr. Hansell moved to amend the report as follows, to-wit:

Amend the caption by striking out the words "first day" and insert in lieu thereof the words "first Tuesday" and in the body of the bill strike out the word "Monday" and insert in lieu thereof "first Tuesday," which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

On motion leave of absence for a few days was granted to Mr. Lewis the Senator from the 19th district.

On motion of Mr. Hansell the Secretary of the Senate was required forthwith to transmit, with the amendment of the Senate thereto, to the House of Representatives, the resolution of the House in relation to the time of holding elections for Senators to the Congress of the Confederate States.

The rule being suspended, on motion the following bill of the House was taken up and read the first time, to-wit:

A bill to authorize the administrator of the late William Williamson, of the county of Harris, to sell all the lands belonging to the estate of the said William Williamson, lying and being in the counties of Harris and Talbot, at the Court House in the county of Harris.

The Senate then went into Executive Session and after remaining some time the Executive Session was closed, and the Senate resumed its regular business.

On motion the Senate then adjourned till 10 o'clock, Monday next.

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MONDAY, NOVEMBER 18TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Smith.

Mr. Brown moved to reconsider so much of the Journal of Saturday as relates to the resolutions of the House of Representatives to bring on the election of Senators to the Confederate Congress, and the amendment thereto by the Senate.

The motion to reconsider prevailed.

Mr. Mitchell moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate upon a bill to protect the rights of married women, and to provide the manner of securing the same, to provide for the distribution thereof, and for other purposes therein mentioned.

The motion to reconsider prevailed.

Mr. Boyd moved to reconsider so much of the Journal of the Senate as relates to the vote by which the following bill was passed, to-wit:

A bill to consolidate the offices of Secretary of State and Surveyor General, and for other purposes.

The motion to reconsider prevailed.

Mr. Brown moved to suspend the rules and take up the resolution from the House relating to the election of Senators to the Confederate Congress.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 23, nays 10.

Those who voted in the affirmative are Messrs.:

Alexander, Beasley, Bell, Bothwell, Boyd, Brown, Gaston, Griffin, Harris, Thomas Hilliard, Jamison, Lane, McRae Mitchell, Shewmake, Simmons, Smith, Stafford, Stephens, Swearingen, Vason, Ware, Wright.

Those who voted in the negative are Messrs.:

Dyer, Echols, Fort, Gordon, Hansell, Hill, Jackson, King, Patrick, Seward.

Mr. Brown moved to strike out in the resolution the 26th inst., which was agreed to.

Mr. Brown moved to fill the blank by inserting the 19th inst.

Mr. Seward moved to amend by inserting the 23d inst., which was lost.

Mr. Seward moved to insert 22d inst., which was lost.

Mr. Seward moved to insert the 21st inst., which was also lost.

Mr. Seward then moved to insert the 20th inst., which was also lost.

The motion of Mr. Brown was then agreed to.

The resolution was, as amended, agreed to, and ordered to be transmitted to the House of Representatives forthwith.

The Senate took up as the report of the committee of the whole,

The special order, which was a bill to incorporate the Planters' Insurance Trust and Loan Company.

The bill was made the special order for to-morrow.

On motion of Mr. Alexander the Senate went into the election of a President of the Senate *pro tempore*.



The name of the Hon. Mr. Gibson was proposed, also that of Mr. Hansell.

The vote of the Senate was taken *viva voce*, when it appeared that Mr. Gibson had received 19 votes, and Mr. Hansell 15 votes, as follows:

For Mr. Gibson—Messrs.:

Alexander, Anthony, Bell, Bothwell, Brown, Fort, Gordon, Griffin, Harris, Hansell, Hill, Hilliard, of Ware, Jackson, Kendall, King, Shewmake, Smith, Stafford, Stephens, Swearingen.

For Mr. Hansell:

Beasley, Boyd, Dyer, Fletcher, Gaston, Jamison, Lane, Mitchell, Patrick, Seward, Simmons, Vason, Ware, Wright.

Mr. Gibson having received a majority of the votes cast was declared elected President *pro tem*.

Mr. Gordon from the Committee on Banks made the following report:

The Committee on Banks to whom was referred a bill to be entitled an act to re-enact certain portions of the Bank Relief acts of 1860, have had the same under consideration, and report it back to the Senate with an amendment to the substitute, and recommend that the substitute as amended do pass.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill to re-enact and continue in force the first, second and third sections of an act to grant relief to the Banks and people of this State, passed over the Governor's veto, on the 30th day of November, 1860; and also to re-enact and continue in force the third and fourth sections of an act to add a proviso to the fourth section of an act entitled an act for the relief of the Banks and people of this State, &c., assented to 20th December, 1860.

The Committee on Banks to whom the bill was referred reported the same back to the Senate with the following amendment:

Provided, also, that each of the chartered Banks of this State claiming the provisions of this bill shall be and they are hereby required upon application of any person to issue and keep in circulation during their suspension small bills in denominations of 5, 10, 25 and 50 cents to the extent of one *per centum* upon their capital stock which said small bills shall be redeemed in current bank bills when presented in sums of five dollars or more, and that the said banks are authorized to issue small bills to the extent of three per centum on their capital stock, with a recommendation that with the amendment the substitute do pass.

Mr. Seward moved to strike out the words "third" in the first section of the substitute which was agreed to.

Mr. Gordon moved to amend by inserting in 1st section, after words 1862 "except the last proviso of said second section," which was agreed to.

Mr. Vason moved the following amendment:

That each of the banks of this State claiming the provisions of this act shall be and are required to issue and keep in circulation 3 per centum of their capital stock in small bills as low as 25 cents, and not exceeding two dollars, which said bills shall be redeemed in gold and silver coin when called upon by any person for purposes of change, and not for purposes of speculation, in sums not exceeding five dollars, which motion was lost.

The report as amended was agreed to, and the bill was read the third time and passed, by a majority of two thirds of the members present and voting. Upon the passage of the bill the yeas and nays were recorded, and the yeas were 30 and the nays 5.

Those who voted in the affirmative were Messrs.:

Alexander, Beasley, Bell, Bothwell, Boyd, Brown, Echols, Fletcher, Fort, Gaston, Gordon, Griffin, Hansell, Harris, Hill, Thos. Hilliard, Jackson, Jamison, Kendall, King, McRae, Mitchell, Patrick, Seward, Shewmake, Simmons, Stafford, Stephens, Swearingen, Ware.

Those who voted in the negative were Messrs.:

Dyer, Lane, Smith, Vason, Wright.

Yeas 30, nays 5. So the bill was passed.

The rules being suspended the committee on new counties and county lines made the following report, to-wit:

The committee on new counties and county lines to whom was referred the bill to change the line between the counties of Chattahoochee and Talbot so as to include the residence and premises of Jas. M. Lowe in the county of Talbot have considered the same, and recommend that the bill do pass.

On motion the report was taken up.

Mr. Stafford offered the following amendment, to-wit:

To add to the caption of the bill the following, to-wit:—"Also to change the line between the counties of Early and Calhoun," which was accepted.

The report as amended was agreed to, the bill was read the third time and passed.

The rule being suspended Mr. Bell offered the following resolution, to-wit:

*Resolved*, That reporters of newspapers be allowed seats on the floor of the Senate when not in Executive Session; which was taken up, read and adopted.



The rule being suspended Mr. Seward, chairman of the Judiciary Committee made the following report :

A bill to prevent during the existing war monopolies and speculations in breadstuff and other articles of general use and consumption, having had the same under consideration report the same back to the Senate and recommend it do pass with amendments ; which was taken up.

Mr. Ware moved to amend the report by adding "sugar and coffee," to be inserted in all places where articles are named.

On motion the bill was made the special order of the day for Wednesday next. and fifty copies of said bill with the substitute and amendments were ordered to be printed.

The rule being suspended Mr. Mitchell moved to make the bill for the protection of married women, &c., the special order for Friday next.

The rule being suspended Mr. Mitchell offered the following resolutions which were taken up, read and adopted :

WHEREAS, By the Constitution of the Confederate States the power "to declare war," "to raise and support armies, to provide for the calling forth the Militia to execute the laws of the Confederate States, suppress insurrections and repel invasions," is given to the Congress of the Confederate States.

*And Whereas,* It is declared in said Constitution, "nor shall any State keep troops or ships-of-war in time of peace, enter into any agreement or compact with any other State, or with a foreign power, or engage in war unless actually invaded or in such imminent danger as will not admit of delay.

*And Whereas,* It is also declared by an Ordinance of the Convention of the State of Georgia, passed on the 20th day of March, 1861, "That the State of Georgia hereby transfers to the Government of the Confederate States of America, the arms and munitions of war, acquired from the United States with the forts and arsenals, and which are now in said forts and arsenals."

"That the Governor of the State is hereby authorized to transfer to the government of the Confederate States such arms, munitions of war, armed vessels or steamers belonging to this State as in his judgment may be expedient, and upon such terms as may be agreed upon with the said government of the Confederate States."

"The transfer herein provided for shall be conducted on the part of this State by the Governor thereof, the government of the Confederate States undertaking to account for all such arms and munitions of war as are hereby transferred."

*And Whereas,* It is well known, and has been known well for the last several months, that the enemy has been engag-



ed in fitting and equipping one of the most powerful armadas known in the history of war, ancient or modern, for the avowed purpose of attacking and invading the coasts of the cotton growing States of the Confederacy, and it is also well known that the said armada has been fitted up in the most complete and perfect manner, with an ample supply of troops, for the purpose avowedly and with the intent of invading the soil of the cotton growing and gulf States, and that the said armada has actually sailed south from Fortress Monroe, and has actually attacked and invaded the soil of our sister State of South Carolina, and now occupies Port Royal within the jurisdiction of our sister State, only a short distance from the coast of Georgia, and that the said armada has been and probably now is cruising off the coast of the State of Georgia with a view doubtless at the earliest opportunity to make an invasion upon the soil of our beloved Georgia.

Under the circumstances it is believed to be vitally important that the General Assembly now in session should have the earliest and fullest information in the power of the Executive to communicate to them on the following points, that if there should be any deficiency in the preparations necessary to a complete and successful defence against the invading enemy that the General Assembly may be enabled to render to His Excellency all the aid and assistance in their power both in men and money, necessary to a full and complete defence against any invasion or attempted invasion of the soil of Georgia by the enemy. Has the Confederate States or not, in the opinion of His Excellency, provided and sent to the coast of Georgia sufficient armies and war equipments to repel the threatened invasion? what amount of Confederate troops are now on the coast of Georgia? what number of troops, in the opinion of the Executive, will be necessary under the circumstances to repel the threatened invasion? has the Confederate Government been informed of the threatened invasion, and called on by the Executive to make defence of the coast and supply the men and means therefor? if such calls have been made and the means have not been supplied what are the responses of that government, and the reasons for the failure to make the supplies if any?

2. Have the arms, munitions of war, armed vessels, forts and arsenals mentioned in the 2d and 3d sections of the Ordinance of 20th March, 1861, been transferred to the Confederate Government by the Executive? If so upon what terms and for what amount or consideration?

*Therefore Resolved*, That His Excellency the Governor be and he is hereby respectfully requested to communicate to the Senate responses to the foregoing inquiries, together with all such other matter and information that he may pos-

sess and think proper, therewith together with copies of all such written correspondence as he may have had with the official organs of the Confederate Government mentioned and indicated in the above inquiries.

And that if there be any matter or thing connected with a response to the foregoing enquiries that in the opinion of His Excellency would be incompatible with the public interest to make public at this time that he be respectfully requested to communicate the same to the Senate in secret session.

The rule being suspended the Senate took up the following bill from the House of Representatives :

A bill to consolidate the offices of Secretary of State and Surveyor General, and to require all the duties of said offices to be performed by the Secretary of State, and for other purposes, which was read the first time.

The rule being suspended the Senate took up and read the second time the following bills from the House of Representatives :

A bill to authorize the several Banks and banking institutions located at Savannah to remove their places of business into the interior during the invasion of the enemy.

Also, a bill to authorize the administrator of the late William Williamson, of the county of Harris, to sell all the lands belonging to the estate of the said William Williamson, lying in the counties of Harris and Talbot at the Court House in the county of Harris.

Also a bill to authorize the Ordinary of Brooks county to draw a balance of the educational fund due said county for the year 1860.

The rule being suspended the following bill from the House of Representatives was taken up and read the first time, to-wit :

A bill to change the name of the county of Cass, and for other purposes.

On motion the Senate adjourned to three o'clock, P. M.

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#### AFTERNOON SESSION, 3 O'CLOCK, P. M.

The Senate took up as the report of the committee of the whole, the following bills which were on motion severally laid upon the table for the present, to-wit :

A bill to exempt practicing physicians in Jefferson county from road and jury duty.

Also a bill to authorize Judges of the Superior Courts in



this State on application of any wife for alimony who has been sued by her husband for a divorce to hear the testimony and determine accordingly.

Also, a bill to legalize the acts of G. J. Green as Deputy Ordinary in the county of Spalding.

The Senate took up as the report of the committee of the whole,

A bill to abolish imprisonment for debt on certain conditions.

The Judiciary Committee to which this bill was referred reported the same back to the Senate with a recommendation that the same do not pass.

Mr. Gordon offered a substitute entitled :

A bill to be entitled an act to amend an act to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes.

Mr. Seward made a motion to strike out the words "truth of" in the third section, which was lost.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to legalize and make valid certain acts and proceedings of the Inferior Courts of the counties of Walker, Catoosa and Dade in equipping and furnishing the volunteer companies from said counties entering the service of the Confederate States and of this State, and to confer upon said courts certain powers for like objects in future, and for other purposes.

Mr. Lane offered the following amendment, which was accepted, to-wit :

*And be it enacted*, That the several citizens of said counties who have voluntarily contributed of their private means to the equipping and furnishing the several volunteer companies already gone into the service of the Confederate States or of this State be allowed to make affidavit before any officer who may be authorized to administer oaths of the amount or amounts which they or each of them may have so contributed as aforesaid, and that the said contributors be allowed as a credit the several sums in payment of their taxes for county purposes in said counties as aforesaid.

Motions were offered as follows:

To extend the provisions of said bill to the counties in said amendments, mentioned respectively, to-wit :

Mr. Hansell—to the counties of Cobb, Fulton and Clayton.

Mr. Brown—to the counties of Muscogee, Chattahoochee and Marion.

Mr. Dyer—to the counties of Jasper, Morgan and Putnam.



Mr. Patrick—to the counties of Franklin, Habersham and Hart.

Mr. Gaston—to the counties of Meriwether, Coweta and Campbell.

Mr. Kendall—to the counties of Upson, Harris and Talbot.

Mr. Vason—to the counties of Dougherty, Lee and Worth.

Mr. Ware—to the counties of Polk, Paulding and Haralson.

Mr. Harris—to the county of Hancock.

Mr. Hill—to the counties of Wilkes, Lincoln and Columbia.

Mr. Beasley—to the county of Troup.

Mr. Anthony—to the counties of Clay, Randolph and Terrill.

Mr. Bell—to the counties of Forsyth, Cherokee and Milton.

Mr. Ware—to the county of Polk.

Mr. Smith—to the counties of Wilkinson, Jones, Twiggs, Early, Miller and Calhoun.

The following amendments were also offered, to-wit:

Mr. Shewmake—Section , *And be it further enacted*, That the provisions of this bill as far as applicable, be extended to the counties of Burke, Scriven, Bulloch, Dooly, Wilcox and Pulaski.

Mr. Thomas Hilliard—to the counties of Clinch, Chatham, Bryan and Effingham.

Mr. Stafford offered the following amendment:

That the said Inferior Court shall have power to assess the compensation of such Tax Collectors for collecting said fund.

The bill was read the second time, and on motion of Mr. Swearingen laid upon the table for the present, and fifty copies ordered to be printed.

The Senate took up as the report of the committee of the whole,

A bill to add an additional section to the Penal Code of Georgia.

The report was agreed to, the bill was read the third time and passed.

On motion of Mr. Seward the rule was suspended and the following resolution was taken up, read and adopted, to-wit:

*Resolved*, By the Senate that from and after Thursday next no new matter shall be introduced except such as shall relate to the public credit, and providing the means for the military defence of the country.

On motion of Mr. Anthony the rule was suspended and the resolution relative to the duties of planters in reference

to the culture of cotton was taken up and referred to the Committee on Agriculture.

On motion of Mr. Beasley the rules were suspended and a bill entitled an act more effectually to organize the Georgia Institution for the Deaf and Dumb, and for other purposes was taken up, read the second time and referred to the Committee on the Deaf and Dumb Asylum.

The memorial of Duff Green in relation to the Dalton City Company was presented to the Senate and read.

The Senate then adjourned until ten o'clock, to-morrow morning.

TUESDAY, NOVEMBER 19TH, 1861, }  
10 o'clock, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Lane.

Mr. Bell moved to reconsider so much of the Journal of yesterday as relates to the action of Senate upon a bill to amend an act to abolish imprisonment for debt upon certain conditions, &c.

The motion to reconsider prevailed.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington :

*Mr. Speaker* :—I am directed by the House of Representatives to inform the Senate that the House of Representatives have passed

A bill to be entitled an act to authorize the Justices of the Inferior Courts of the several counties in this State, from time to time, in their discretion, to levy such extra taxes as they may deem necessary to equip volunteer or other soldiers from their respective counties, and to provide for the indigent families of soldiers ; to authorize the collection of the same, and to legalize their previous action in the premises, and for other purposes ; and I am directed to transmit the same to the Senate forthwith.

Mr. Hansell moved to suspend the rule to take up and read for the first time the bill just received from the House of Representatives, which was agreed to.

The following bill from the House of Representatives was then taken up and read the first time, to-wit :

A bill to authorize the Justices of the Inferior Courts of the several counties of this State from time to time, in their discretion, to levy such extra taxes as they may deem nec-

essary to equip Volunteers or other soldiers from their respective counties, and to provide for the indigent families of soldiers; to authorize the collection of the same, and to legalize their previous action in the premises, and for other purposes.

On motion of Mr. Hansell fifty copies of the bill were ordered to be printed for the use of the Senate.

On motion the rule was suspended, and Mr. Vason offered the following resolution, to-wit:

*Resolved*, If the House of Representatives concur, that in all elections by the General Assembly a record of the vote or votes of each member shall be transmitted to the Secretary of the Senate and the Clerk of the House, and be by them spread upon the Journals of the respective Houses. That no vote shall be changed after the member announcing it so as to change or vary the result, and if no election is then made, the roll shall be called and the voting proceed as before.

The resolution was taken up.

Mr. Hansell moved the following amendment to-wit:

To amend so as to make it only necessary for the Secretary to record the vote of the Senators on his Journal, and the Clerk of the House to record on his Journal the vote of the House of Representatives, which was accepted.

Mr. Harris offered the following as a substitute for the original resolution, which was lost, to-wit:

Rule 30th. In all elections for the presiding and other officers of the Senate, and in all elections of the General Assembly by *viva voce*, each Senator as his name is called shall immediately rise from his seat and declare in a distinct and audible voice the name of the person or persons for whom he may vote without remarks of any kind, unless excused from voting by a majority of the members of the Senate present, and that his vote shall be entered on the Journal of the Senate.

Mr. Gordon offered the following amendment, to-wit:

*And be it further resolved*, That in the election of Confederate States Senators, the General Assembly will proceed to ballot for one Senator at a time.

Mr. Mitchell offered the following amendment to the amendment, to-wit:

So as to make said amendment read "ballot for two Senators at once."

The amendment to the amendment was not agreed to.

The amendment was agreed to.

The resolution as amended was adopted.



The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President* :—I am instructed by the House of Representatives to inform the Senate that they are now ready to receive them in their Hall for the purpose of proceeding to the election of two Senators to the Congress of the Confederate States of America.

The rule being suspended, on motion of Mr. Seward the Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to authorize the Ordinary of Brooks county to draw a balance of the Educational Fund due said county for the year 1860.

The report was agreed to ; the bill was read the third time and passed.

The rule being suspended, on motion of Mr. Gordon, the Senate took up as the report of the committee of the whole a bill from the House of Representatives to authorize the several banks and banking institutions located at Savannah to remove their places of business into the interior during the invasion of the enemy.

The report was agreed to ; the bill was read the third time and passed.

The special order, which was

A bill to incorporate the Planters' Insurance Trust and Loan Company, was taken up and laid upon the table for the present.

On motion of Mr. Seward the rule was suspended and he offered the following resolution, which was taken up, read and adopted, to-wit :

*Resolved by the Senate and House of Representatives, That* Georgia is deeply concerned in having the Boundary Line between her and her sister State of Florida permanently settled and fixed, an end to the unfortunate controversy which has been pending so long is due alike to citizens of both States bordering upon the line of dispute. The settlement of this question is demanded, that no infringement of the sovereignty of either State shall happen nor any questions arise as to conflict jurisdictions. The undisputed right of citizenship and allegiance should no longer be kept in doubt, and the limits of the respective sovereignties should be fully determined, recognised and understood.

The Legislature of Georgia desires to address the Legislative authority of Florida in a spirit of amity and kindness, and to appeal to her upon the principles of comity and good neighborhood to contribute everything she can compatible with her honor and sense of right to the adjust-

ment of our unsettled boundary line, a source of irritation, discontent and dissatisfaction.

The State of Georgia is not unaware of the points of difference existing ever since the treaty between the United States and Spain of 1795, and (even prior thereto), She understood her boundary. The 3d article of the treaty of 1795 defines what should be the correct line of division, which is in these words:

“The southern boundary which divides their territory from the Spanish colonies of East and West Florida, shall be designated by a line beginning on the river Mississippi, at the Northernmost part of the thirty-first degree of latitude North of the Equator, which from thence shall be drawn East to the middle of the river Apalachicola or Chattahoochee, thence along the middle thereof to its junction with the Flint, thence straight to the head of the St. Mary's river, and thence down the middle thereof to the Atlantic Ocean.”

Commissioners were appointed under the treaty to perform their duty in running the line designated by the terms thereof, and the mode of proceeding by said treaty is declared thus:

“In order to carry the preceding article (the 3d article) into effect, one commissioner and one surveyor shall be appointed by each of the contracting parties, who shall meet at the Natches on the other side of the Mississippi before the expiration of six months from the ratification of this convention, and they shall proceed to run and mark this boundary according to the stipulations of said article; they shall make plats and keep journals of the proceedings, which shall be considered part of this convention, and shall have the same force as if they were inserted therein.”

From the Mississippi to the Chattahoochee they executed their commission according to the stipulations of the treaty. The remaining part of their duty they failed to perform. The point of departure and the point of termination are both fixed by the treaty, and it is provided that said commissioners should run and mark to and from these points. The points referred to are from the junction of the Flint and Chattahoochee rivers to the head of the St. Mary's. It is a historical fact that no surveys were made between the junction of the Flint and the Chattahoochee rivers and the head of the St. Mary's, on account of Indian disturbances. That Ellicott designated on his plat mound B, as being a little North of the head waters of the St. Mary's, and being the Northern branch of the said river and consented that this point should indicate the true source of said stream, may probably be insisted upon, but the fact is unquestionable that no such power was given him. He having power to act as a simple commissioner, his duties



and powers being limited by the treaty which was the supreme law of the land.

The evidence now exists that at the time the commissioners were endeavoring to ascertain the head of the St. Mary's river, on account of the heavy rains and heavy freshets consequent thereupon, the low flat district of country from whence the source of the river takes its rise, it was impossible for them to determine the fact. In fact mound B is not near the head source of said river, which is now (since the country is settled) capable of the fullest and most conclusive proof.

Florida insists that mound B should be regarded the fixed point to determine the head waters of the river St. Mary's. Georgia insists that the most Southern branch of the river is the longest, and has the greatest volume of water, and therefore that the dividing line between the two States, from the junction of that and the Chattahoochee rivers, should be run to the head of the most Southern stream. Thus it will be seen that if Georgia insists upon her view of the subject, she will claim a considerable portion of the territory of the State of Florida, and include many valuable citizens within the jurisdiction of Georgia. On the other hand, if Florida should adhere to her views, she would embrace a portion of the territory of Georgia, and also take within her jurisdiction many of the recognized citizens of Georgia.

It is obvious to the two States holding these adverse positions, and insisting upon the abstract rights set up by each, a settlement of the contested boundary is impossible without long and tedious litigation between the two States, and before the Supreme Court of the Confederate States. The two sovereignties from their positions, competent to adjust their differences, it seems to the Legislature of Georgia, can be settled in a manner more compatible with the dignity, peace, friendship, amity and good will of both.

The General Assembly, to avoid further dispute, proposes to her sister State of Florida that what is denominated as the Watson line, which will leave in the limits of this State the fractional lots of land heretofore sold under an act of her Legislature, shall be adopted as the boundary line. The settlement upon this basis will not interfere with the rights of citizenship as claimed by the citizens of either State.

The positions of the two States, united by a common interest, and sharing perils alike with each other in resisting a common enemy, are considerations which require that border difficulties and all causes of irritation should be put an end to.

*Be it therefore Resolved*, That his Excellency the Governor be requested to transmit the foregoing preamble and



these resolutions to his Excellency the Governor of Florida, with a request that he submit the same to the Legislature of Florida. And

*Resolved, further,* That the Governor do appoint two commissioners to visit the seat of Government of the State of Florida, who are hereby clothed with authority to negotiate and settle the boundary line with the authorities of Florida upon the terms prescribed in the aforesaid recital and preamble.

The rule being suspended, on motion of Mr. Kendall, the Senate took up as the report of the committee of the whole,

A bill from the House of Representatives to authorize the Administrator of the late William Williamson, of the county of Harris, to sell all the land belonging to the estate of the said William Williamson, lying and being in the counties of Harris and Talbot, at the Court House in the county of Harris.

The report was agreed to; the bill was read the third time and passed.

The rule being suspended, on motion of Mr. Boyd, the following bill from the House of Representatives was taken up and read the second time, to-wit :

A bill to consolidate the offices of the Secretary of State and Surveyor General, and to require all the duties of said offices to be performed by the Secretary of State, and for other purposes.

Mr. Boyd reported a bill to make effectual the second clause of the 2d section of the 4th article of the constitution of the State of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in actions of divorce shall be determined; which was read the first time.

Mr. Gordon reported a bill to fix and define the rank of the Adjutant and Inspector General of the State of Georgia, and to assign him a military Secretary; which was read the first time.

Also, a bill to regulate foreign exchange; which was read the first time.

Mr. Griffin reported a bill for the relief of Sumner W. Baker and Solomon B. Smith, Executors of the estate of Benjamin Lane, late of said county deceased; which was read the first time.

Mr. Gordon reported a bill to carry into effect the fourth clause of the first section of the third article of the constitution of this State; which was read the first time.

Mr. Hansell presented a petition from certain citizens of

the county of Fannin; which without reading, was referred to the committee on Petitions.

Mr. Harris reported a bill to repeal an act to regulate the hours of labor by all white persons under twenty-one years in all cotton, woolen, and other manufacturing establishments in this State, and for other purposes, which was read the first time.

Mr. Jackson reported a bill to suspend the statute of limitations, and for other purposes, which was read the first time.

Also, the following amendment to the rules of the Senate:

The Senate when in Executive session on any nomination made by the Governor, which appointment requires that the same be made by and with the advice and consent of the Senate, the President shall appoint a committee of five to confer with the Governor as to the propriety of such appointment or confirmation of such person so nominated, which committee shall make their report to the Senate immediately or at their next Executive session; their report through their Chairman, the information obtained, submit the same to the Senate, who may proceed to vote upon the nomination; which was read.

Mr. Jamison reported a bill to authorize all Volunteers and other troops in the service from this State to vote at all elections without reference to the place where they may be in service at the time of such elections, and for other purposes, which was read the first time.

Mr. Killen reported a bill to incorporate a Bank in the city of Savannah to be called the Cotton Planters' Bank of the State of Georgia, which was read the first time.

On motion of Mr. Killen fifty copies were ordered to be printed for the use of the Senate.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk:

*Mr. President:* I am directed by the House of Representatives to inform the Senate that they have concurred in the following resolutions, relative to the mode &c., of electing two Senators for the Congress of the Confederate States of America, with a certain amendment, in which they ask the concurrence of the Senate.

On motion the amendment of the House was concurred in by the Senate.

Mr. Mitchell reported a bill to reimburse and pay by the State to the several counties in this State all such sums of money as they may have or shall hereafter pay for the equipment of Volunteers from their respective county, and for the support of the indigent families of said Volunteers, and for other purposes; which was read the first time.

Mr. Stafford reported a bill to relieve certain persons from the pains and disabilities of a judgment of divorce; which was read the first time.

Also, a bill to authorize Guardians, Trustees, Executors, and Administrators to invest in Confederate States bonds and land and negroes; which was read the first time.

Mr. Ware reported the following bill, which was read the first time, to-wit:

An act to be entitled an act to authorize Polly Knowles, a free person of color, to sell herself and children into perpetual slavery.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington:

*Mr. President:*—I am directed by the House of Representatives to inform the Senate that the House of Representatives is now ready to receive the Senate in their Hall for the purpose of proceeding to the election of two Senators for the Congress of the Confederate States of America.

Mr. Dyer reported as duly enrolled and ready for signature the joint resolution to bring on the election of Senators to the Confederate Congress, at 11 o'clock A. M., Tuesday, 19th inst.

On motion the Senate repaired to the Hall of the House of Representatives, where they proceeded to the general order of the day, to-wit:

The election of two Senators to represent the State of Georgia in the Congress of the Confederate States of America.

The following gentlemen were announced as candidates.

Mr. Gordon announced the name of the Hon. Robert Toombs.

Mr. Bigham announced the name of the Hon. Benjamin H. Hill.

#### FIRST VOTING.

Upon a call of the roll, those who voted for Mr. Hill are:

Alexander, Beasley, Bell, Billups, Bothwell, Boyd, Brown, Echols, Gaston, Harris, Jamison, Kendall, Killen, Lane, McRae, Mitchell, Patrick, Simmons, Stephens, Ware, Wright.

And those who voted for Mr. Toombs are:

Anthony, Dyer, Fletcher, Fort, Gibson, Gordon, Griffin, Hansell, Hilliard Thomas, Jackson, King, Seward, Smith, Stafford, Swearingen, Vason, Winn.



Those who voted for H. V. Johnson are :

Shewmake.

On the first voting, including the vote of the Senate and House of Representatives—

Benjamin H. Hill received.....	127
Robert Toombs           “ .....	68
H. V. Johnson           “ .....	3
A. Iverson               “ .....	1
—— Lane               “ .....	1
—— Jackson           “ .....	1

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201

Whole number of votes, 201. Necessary to a choice, 101.

Benjamin H. Hill having received a majority of the votes cast was declared duly elected.

The General Assembly then proceeded to the election of another Senator.

#### SECOND VOTING.

On the first voting, upon a call of the roll, those who voted for Mr. Iverson are :

Alexander, Beaseley, Bothwell, Brown, Fletcher, Gaston, Griffin, Hilliard Thomas, Jamison, Kendall, Killen, McRae, Stafford, Swearingen, Vason, Ware.

Those who voted for Mr. Bethune are : Anthony.

Those who voted for Mr. Toombs are :

Bell, Echols, Fort, Gordon, Hansell, Hill, Jackson, King, Lane, Seward, Smith, Winn.

Those who voted for Mr. Thomas are : Billups

Those who voted for Mr. Jackson are :

Boyd, Patrick, Shewmake, Simmons, Stephens.

Those who voted for Mr. Johnson are :

Dyer, Gibson, Harris, Mitchell, Wright.

On the first voting for a second Senator, including the vote of the House of Representatives—

Mr. Iverson received.....	85 votes.
Mr. Johnson           “ .....	22 “
Robert Toombs “ .....	49 “
James W. Jackson received.....	35 “
G. E. Thomas           “ .....	1 “
James N. Bethune   “ .....	5 “
John P. King           “ .....	3 “
Joseph E. Brown   “ .....	1 “

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201

The whole number of votes cast was 201. Necessary to choice, 101.

Neither candidate having a majority of the whole number of votes given, the General Assembly proceeded to a second voting.

### THIRD VOTING.

Upon a call of the roll those who voted for Mr. Iverson are :

Alexander, Beasley, Bothwell, Brown, Gaston, Griffin, Jamison, Kendall, Killen, McRae, Stafford, Swearingen, Vason.

Those who voted for Mr. Toombs are :

Anthony, Bell, Billups, Dyer, Fletcher, Fort, Gordon, Hansell, Harris, Hill, Hilliard Thos., Jackson, King, Lane, Seward, Smith, Ware, Winn.

Those who voted for Mr. Jackson are :

Boyd, Echols, Mitchell, Patrick, Shewmake, Simmons, Stephens.

Those who voted for Mr. King are : Wright.

On the second voting for the second Senator, including the vote of the House of Representatives—

Alfred Iverson received.....	87 votes.
Robert Toombs “ .....	67 “
James W. Jackson “ .....	43 “
H. V. Johnson “ .....	1 “
—— King “ .....	2 “

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200

The whole number of votes given is 200. Necessary to a choice, 101.

Neither candidate having received a majority of the whole number of votes given, the General Assembly proceeded to a third voting for a second Senator.

### FOURTH VOTING.

Upon a call of the roll, those who voted for Mr. Jackson are :

Alexander, Boyd, Mitchell, Patrick, Simmons, Stephens, Wright.

Those who voted for Mr. Toombs are :

Anthony, Bell, Billups, Dyer, Echols, Fletcher, Fort, Gibson, Gordon, Hansell, Harris, Hill, Hilliard Thomas, Jackson, King, Lane, Seward, Shewmake, Smith, Swearingin, Vason, Winn.

Those who voted for Mr. Iverson are :

Beasley, Bothwell, Brown, Gaston, Griffin, Jamison, Kendall, Killen, McRae, Stafford, Ware.

On the third voting for a second Senator, including the vote of the House of Representatives—

Alfred Iverson received.....	73 votes.
Robert Toombs       “ .....	82   “
James W. Jackson received.....	44   “
<hr/>	
199	

The whole number of votes given is 199. Necessary to a choice 100.

Neither candidate having received a majority of the whole number of votes given, the General Assembly proceeded to a fourth voting for a second Senator.

#### FIFTH VOTING.

Upon a call of the roll, those who voted for Mr. Jackson are :

Alexander, Boyd, Mitchell, Patrick, Simmons, Stephens, Wright.

Those who voted for Mr. Toombs are :

Anthony, Beasley, Bell, Billups, Dyer, Echols, Fletcher, Fort, Gordon, Griffin, Hansell, Harris, Hill, Hilliard Thos., Jackson, Kendall, King, Lane, Seward, Shewmake, Smith, Swearingen, Vason, Winn.

Those who voted for Mr. Iverson are :

Bothwell, Brown, Gaston, Jamison, Killen, McRae, Stafford.

Those who voted for Mr. Hansell are : Ware.

Those who voted for Mr. Wilcher are : Gibson.

Upon the fourth voting, including the vote of the House of Representatives—

Mr. Toombs received.....	93 votes.
Mr. Iverson       “ .....	58   “
Mr. Jackson       “ .....	47   “
Mr. Hansell       “ .....	1   “
Mr. Wilcher       “ .....	1   “
<hr/>	
200	

The whole number of votes given is 200. Necessary to a choice, 101.

Neither candidate having received a majority of the whole number of votes given, the General Assembly proceeded to a fifth voting for a second Senator.



## SIXTH VOTING.

Upon a call of the roll, those who voted for Mr. Jackson are :

Alexander, Boyd, Brown, Mitchell, Patrick, Simmons, Stephens, Ware, Wright.

Those who voted for Mr. Toombs are :

Anthony, Beasley, Bell, Billups, Bothwell, Dyer, Echols, Fletcher, Gaston, Gibson, Gordon, Griffin, Hansell, Harris, Hill, Hilliard Thos., Jackson, Jamison, Kendall, Killen, King, Lane, McRae, Seward, Shewmake, Smith, Stafford, Swearingen, Vason, Winn.

On the fifth voting for a second Senator, including the vote of the House of Representatives—

Mr. Toombs received.....	129 votes.
Mr. Jackson       “.....	67   “
Mr. Johnson       “.....	1 vote.

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197

The whole number of votes given is 197. Necessary to a choice, 99.

Mr. Toombs having received a majority of the whole number of votes given, was declared duly elected.

The Senate then repaired to the Senate Chamber, when

On motion the Senate adjourned until 10 o'clock to-morrow morning.

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WEDNESDAY, NOVEMBER 20TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Smith.

On motion of Mr. Lane, the rule was suspended and the special order postponed.

The Senate took up as the report of the committee of the whole,

A bill to legalize and make valid certain acts and proceedings of the Inferior Courts of the counties of Walker, Catoosa and Dade, in equipping and furnishing the volunteer companies from said counties, entering the service of the Confederate States or of this State, and to confer upon said Courts certain powers for like objects in future, and for other purposes.

Mr. King moved to amend the bill so as to include the counties of Glynn, Camden and Charlton, which was accepted.

Mr. Wright moved to amend by adding the counties of Johnson, Emanuel and Laurens.

Mr. Gordon offered as a substitute for the original bill, a bill to legalize and make valid the acts and proceedings of the Inferior Courts of the several counties of this State in equipping and furnishing the volunteer companies from said counties, entering the service of the Confederate States or of this State, and to confer upon said Courts certain powers for like objects in future, and for other purposes; which substitute was adopted.

Mr. Dyer offered the following amendment, to add, "in levying extra taxes," third line first section, which was accepted.

Mr. Hill moved to amend by adding the following section:

*And be it further enacted,* That all acts of the Inferior Courts of any of the counties of this State in borrowing money, issuing bonds or notes, or that may hereafter borrow money, issue bonds or notes for any or all of the purposes mentioned in the before recited act, be and the same are hereby made legal and valid.

On motion of Mr. Vason, the report with the several amendments were laid on the table.

The rule being suspended, the Senate took up and read for the second time the following bill from the House of Representatives:

A bill to authorize the Justices of the Inferior Courts of the several counties of this State from time to time, in their discretion, to levy such extra taxes as they may deem necessary to equip volunteer or other soldiers from their respective counties, and to provide for the indigent families of soldiers, to authorize the collection of the same, and to legalize their previous action in the premises, and for other purposes.

On motion, the bill was referred to the committee on Finance.

On motion of Mr. Hansell, the Senate took up the bill which had been laid upon the table, to legalize and make valid the acts of the Inferior Court of the several counties of this State in equipping volunteers, &c.

Mr. Swaengen offered the following amendment; strike out and insert the following: "Have contributed in money only."

The bill was then referred to the committee on Finance.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President:*—I am instructed by the House of Representatives to inform the Senate that they have adopted a

resolution authorizing the Governor to issue a Grant to lot of land number ten, in the 11th district of Mitchell county.

On motion of Mr. Alexander, the Senate took up and read for the first time the following bill from the House of Representatives :

A bill to authorize the Ordinary of DeKalb county, to grant letters of Administration on the estate of Thomas H. Chivers, deceased, of said county.

The Senate took up as the report of the committee of the whole, the special order, which was a bill to prevent, during the existing war, monopolies and speculation in breadstuffs and other articles of consumption.

The Judiciary Committee, to whom the bill was referred, reported it back to the Senate with a substitute, with the recommendation that it do pass.

Mr. Simmons offered the following amendment :

It shall not be lawful for any person within the limits of this State, in person, by agent or otherwise, to sell flour for more than eight dollars per barrel, which was withdrawn.

Mr. Wright moved to amend by inserting, "iron, steel and nails," after the other articles therein specified.

Mr. Seward offered to amend the amendment of Mr. Wright by adding, "trace chains, weeding and plow hoes, which was accepted.

The amendment of Mr. Wright was lost.

Mr. Patrick offered the following amendment :

"Strike out words 'sixty per centum, and insert 'one hundred per centum,' on salt," which was lost.

Mr. Shewmake moved to amend by adding the following section :

*And be it further enacted*, That half of the fine money collected by the violations of the provisions of this act shall be paid to the informer or prosecutor, which was withdrawn.

Mr. Furlow offered the following proviso :

*Provided*, That the penalties and provisions of this act shall not apply to such stock as may now be in the hands of regular merchants, and which may have been purchased by them within the last thirty days.

Mr. Swaengen offered the following as a substitute for the amendment of Mr. Furlow :

*Provided*, that nothing in this act shall apply to any person or persons who have heretofore or shall hereafter purchase any of said articles, in good faith, for sale to any of his or their customers, who shall sell the same at not a greater per centum on his said purchase than fifty per cent, and



the price in good faith paid by him or them for said articles, which was lost.

Mr. Seward moved to amend the amendment of Mr. Furlow by adding, "for their local and regular customers," which was accepted.

The amendment of Mr. Furlow, as amended, was passed.

Mr. Seward offered the following amendment : include bagging and rope in the first and second section, after the words "cotton cards."

Mr. Gibson offered as an amendment to the amendment : Add after the word rope, in the amendment, beef, tallow, mutton, butter, wool, jeans, shirtings, stripes, meal, whiskey, brandy, coffee, corn, Tobacco ; which was lost.

The amendment of Mr. Seward was agreed to.

Mr. Gordon offered the following amendment which was agreed to :

*Provided*, That this act shall expire on the first day of December, 1862, unless re-enacted by the next General Assembly.

The report, as amended, was agreed to, the bill was read the third time and passed.

On motion of Mr. Swearngen, the rule was suspended, and the following resolution from the House was taken up, read and adopted, to-wit :

*Whereas*, Lot of land number 10, in the 11th district of originally Early, now Mitchell county, was reserved among others for school purposes, and not drawn for in the land lottery ; and whereas, said lot, number 10, was sold under executive order, at public out-cry, and knocked off to one Bradley for a valuable consideration ; whereupon, the said Bradley received from the Sheriff, making the sale aforesaid, a certificate of said sale and purchase, upon which to receive a grant of said lot, number 10 ; and whereas, said certificate was transferred to one John M. Robinson, and by said Robinson to John Sapp, of Mitchell county, which certificate has been lost and destroyed ; therefore be it

*Resolved by the General Assembly*, That the Governor be authorized to cause to be issued to said Sapp, a grant to said lot of land, number 10, in the 11th District of originally Early, now Mitchell county.

On motion of Mr. Hansell, the rule was suspended and the following bill from the House was taken up, to-wit :

A bill to consolidate the offices of Secretary of State and Surveyor General, &c.

Mr. Mitchell reported the following amendment, to-wit :  
The offices of Secretary of State and Treasurer shall be

consolidated, and the offices of Comptroller and Surveyor General shall be consolidated, which amendment was lost.

The report of the committee was agreed to.

The bill was read the third time and passed.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to-wit :

*Mr. President* :—The Governor has approved and signed the following resolutions, to-wit :

A resolution authorizing the committees on Finance, of the Senate and House of Representatives, to act as a joint committee, to report appropriate bills to the House of Representatives, (where alone such bills can originate,) upon the following subjects :

*First*, Authorizing the Inferior Courts of the several counties in this State, to levy such extra tax as may be necessary to defray expenses incurred in raising and equipping companies for the war, &c.

*Second*, For equalizing the burdens throughout the State, so that each county may bear its *pro rata* share of said burden ; and

*Third*, Authorizing the assumption by the State, of the existing Confederate War Tax.

Also, a resolution requiring the Judiciary committee to enquire into the power of the General Assembly, to suppress unjust speculation, monopoly and extortion, and to report a bill, &c.

Also, a resolution constituting the committees of the Senate and House of Representatives on the Deaf and Dumb Asylum, a joint Standing Committee for the investigation of the affairs of the same ; and that the Governor furnish said committee with any document or communication which he may be in possession of, pertaining to said Asylum.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to-wit :

*Mr. President* :—I am directed by His Excellency the Governor, to deliver to the Senate a communication in writing, with accompanying documents.

On motion of Mr. Killen, Mr. Gordon was added to the committee on the military.

On motion the Senate adjourned to 3 o'clock P. M.

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THREE O'CLOCK P. M.

Senate met according to adjournment.

The Senate took up as the report of the committee of the whole,

A bill to provide for the safety of property or funds in the hands of Guardians, Administrators, or Administratrices.

The report was agreed to, the bill was read the third time and passed.

On motion of Mr. Gordon, the rule was suspended, in order to take up the message of the Governor received this morning.

The message was taken up and read as follows, to-wit :

EXECUTIVE DEPARTMENT, }  
Milledgeville, November 19th, 1861. }

*To the Senate :*

In response to the call made upon me by the Senate, I herewith transmit copies of such correspondence between me and the Secretary of war, relating to the defence of the coast of Georgia as is in my judgment proper to be made public at this time.

By reference to this correspondence it will be seen that I have from time to time, since April last, urgently urged upon the Secretary of war to place upon the coast of this State such force as was necessary to the protection and security of our people.

While his responses to my various calls have been kind and conciliatory, promising the protection which might be needed, his sense of duty has caused him to withhold as large a force as I have considered necessary, or the embarrassments by which he has been surrounded have rendered it impossible to do what his sense of propriety dictated.

The Convention of this State, in March last, passed an ordinance transferring the forts and arsenals acquired from the Government of the United States to the Confederate States. At that time there were not sufficient guns and ammunition in either of the forts for its successful defence against a heavy attack. No steps were taken so far as I know, or believe, by the Confederate Government to place additional guns, shot, shell or powder, in the forts ; and I was compelled to purchase the necessary supplies with money from the Treasury of the State, and to place them at the disposal of the Confederate General in command, or to permit the forts to remain in a condition that they might fall an easy prey to the attacks of a hostile fleet. In this supply I expended over one hundred thousand dollars.

As the Confederacy was not prepared with troops to take charge of the forts immediately after the passage of the ordinance, they remained in the possession of Georgia, occupied by her regular troops till these troops were transferred to the Confederacy, 1st May last, when they passed into the possession of the Confederate authorities, together with the heavy guns and ammunition placed in the forts by the



State. No compensation has yet been made to the State for these supplies. I also transferred to the Confederacy the Arsenal at Augusta, with all the guns acquired from the United States, which were in the arsenal at the date of the passage of the ordinance requiring the transfer. The guns previously taken from the arsenal with which to arm our volunteers, and which I was not required to transfer, have all gone into the service of the Confederacy in the hands of Georgia troops, together with all the small arms purchased by the State, except those now in the possession of our State troops. About twenty thousand arms belonging to the State have, in this manner, gone into the Confederate service. The exact number cannot be given as the State's arms were frequently carried to Virginia in the hands of volunteer companies belonging to independent regiments, of which I have no account, as they were frequently seized and carried out of the State without my knowledge or consent. I considered all the guns which have gone into the Confederate service in the hands of Georgia volunteers, except those mentioned in my letter to the Secretary of war, which were taken from the arsenal after the passage of the ordinance for its transfer, to be still the property of this State. No compensation has been paid to the State for the guns, about twelve thousand in number, which were transferred with the Augusta arsenal, nor do I understand that it was the intention of the convention to require the Confederacy to pay a pecuniary compensation for the guns which had been acquired from the United States, and which were required by the ordinance to be transferred, any more than it was their intention that a pecuniary compensation should be paid by the Confederacy to the State for the forts and arsenals. The convention by the ordinance, transferred the title of the arms *then* in the forts and arsenals to the Confederacy, but left it to the discretion of the Executive, whether he would transfer to the Confederacy the other arms belonging to the State. I did not think it best to transfer the title to all our small arms to the Confederacy but I permitted them all to go into the service as State arms.

The steamer Savannah which cost the State \$40,000, was transferred to the Confederacy for \$20,000 in cash and \$20,000 in Confederate State Bonds. The money and bonds received in payment have been and are being expended by the Quartermaster General of the State for supplies for the troops and for other military purposes. The Secretary of war refused to purchase the steamer Huntress which cost the State \$15,000, in New York. The steamer was in possession of Commodore Tatnall in the State service, and after he entered the Confederate States' service, he retained and still retains the possession and management of her in

the inland waters of this State and South Carolina. I hope to be able to transfer this steamer, also, to the Confederacy, at a future day, for the amount she cost the State, to be paid for in Confederate Bonds or Notes. I transmit a copy of the correspondence between myself and the Secretary of War, relative to the transfer of the forts, arsenals and arms.

In response to that portion of the resolution which relates to the present number of Confederate troops now on our coast, I have to state my information, is that there are about 5,500. In addition to this number, ten thousand others will in my opinion, be necessary to repel the invasion and defend the coast. I may also state, that General Lee expresses a desire that I hold a reserve of ten thousand men, in camp, in readiness to reinforce the Confederate troops, on the coast, at any time when needed.

The estimate made in my annual message of the amount necessary to sustain our military operations for the present fiscal year, was based upon a smaller number of troops. If ten thousand troops are to be called into the field, my opinion is an appropriation of at least five millions of dollars will be necessary.

I believe the correspondence herewith submitted will furnish a sufficient reply to the other points contained in the resolutions.

During the summer months the State was not invaded, and I could not say that the danger of invasion was so imminent as to admit of no delay. I did not feel, therefore, that I was at liberty to call out and maintain a heavy force on the coast on State account, or that it was my proper province to take charge of the erection of the necessary fortifications. This duty under the Constitution properly devolved upon the Confederate Government; and I did not feel at liberty to assume the exercise of powers which properly belonged to that government.

Early in September I visited the sea board and found only about three thousand Confederate troops stationed there to defend the city of Savannah, and about one hundred and ten miles of coast. I considered this force entirely inadequate to the task, as the correspondence will show, I had repeatedly offered to supply a larger number of troops if the Secretary of War would make requisition upon me for them, for our defence. He had not thought proper to increase the number beyond that above mentioned, and there was no requisition upon me for any additional number.—The season was so far advanced that I considered the danger too imminent to admit of further delay, and I considered the force too weak to make even a respectable show of resistance to an invading fleet as large as the Government of the United States was likely to send upon our coast, as soon

as they could venture in our climate. Under these circumstances I did not feel that I should be justified should I longer delay active preparation for our defence by organizing State troops and holding them in readiness, in case of attack, to act in concert with the small Confederate force upon the coast. I have, therefore, called out the State troops, as it was my duty to do under the act of the last Legislature, and I shall have completed the organization of the first Division within the next few days.

As the General Assembly has already been informed, the military appropriation is exhausted, and it will be impossible for me to maintain the troops in the field much longer, unless further appropriation be made. Since the commencement of the session, some of the articles necessary to supply the army have risen over thirty five per cent. in the market ; whether the further delay in procuring the supplies which must result from withholding the appropriation, is compatible with the public interest, is a question which demands the serious consideration of the General Assembly.

I am aware that it may be insisted that the Confederate Government shall take upon itself the entire expense of our defence. It is admitted that this is correct in principle, and the willingness of that Government to do its duty to the State, to the extent of its ability is not questioned. Thus far, however, the Confederate Government has not placed upon our coast a sufficient number of troops for our protection, and the question presented for our present consideration is, whether we will assist the Confederacy and defend ourselves; or wait until the Confederacy is prepared to defend us, and risk the disasters which may in the mean time befall us on account of our delay. My own opinion is that it is not now the time to stop to count the cost, but that we should call out as many troops as may be necessary to repel the invader, should he appear either upon the sea coast or upon the borders of Tennessee, whether it may take ten thousand or twenty thousand men, or whether it may cost five or ten millions of dollars. I ask in the name of the people, that their Representatives place at my command the men and money necessary to accomplish the object.

JOSEPH E. BROWN.

On motion, the message with the accompanying documents was laid upon the table for the present.

The Senate took up and read for the second time a bill fixing the fees of the ordinaries of the State of Georgia.

The bill was referred to the Judiciary Committee.

The Senate took up a bill to amend an act to provide for the public defence, and for other purposes, assented to De-



cember 18th, 1860 ; which was read the second time and referred to the Military Committee.

The Senate took up a bill to amend an act incorporating the North Western Bank of Georgia which was read the second time and referred to the committee on Banks.

The Senate took up a bill for the relief of Andrew M. Hamilton of Whitfield county, from the payment of certain judgment, and forfeiture rendered against him ; which was read the second time and ordered to be engrossed.

The following bills were taken up, read the second time and referred to the committee of the whole :

A bill to alter and amend the several acts incorporating the city of Atlanta, in Fulton county, Georgia.

Also, a bill for the relief of Moses Formby of the county of Floyd, a school teacher, under the acts in relation to common schools.

Also, a bill to authorize Dr. Rufus Barker of the county of Floyd, to practice medicine and to grant to him the right to collect, by law or otherwise, all proper claims for professional services rendered, and for other purposes, &c.

Also, a bill for the relief and protection of the rights and property of the minor children of Sophia McBride of Haralson county, Georgia.

Also, a bill to authorize the Ordinary of \_\_\_\_\_ to admit to record the last will and testament of Thomas Allen, late of said county, deceased, and for other purposes.

Also, a bill to authorize the Administrators of the estate of James Connell, deceased, to sell the real estate of said deceased at private sale.

Also, a bill to authorize Susan B. G. McGuire, Guardian of George L. McGuire, to turn over to her said ward his proper share of her deceased husband's estate, and to make valid the same, and for other purposes.

Also, a bill to regulate foreign exchange.

Also, a bill to carry into effect the fourth clause of the first section of the third article of the Constitution of this State.

Also, a bill for the relief of Sumner W. Baker and Solomon B. Smith, Executors on the estate of Benjamin Lane, late of said county, deceased.

Also, a bill to reimburse and pay by the State to the several counties of this State, all such sums of money as they may or shall have paid for the equipment of volunteer companies from their respective counties, and for the support of indigent families of such volunteers, and for other purposes.

Also, a bill to incorporate a bank in the city of Savannah, to be called the Cotton Planters' Bank of the State of Georgia.

The following bills were severally taken up, read the second time and referred to the Judiciary Committee :

A bill to carry into effect the 15th clause of the first article of the Constitution of the State of Georgia.

Also, a bill in reference to the costs in criminal cases, and to provide for payment of witnesses by the party convicted.

Also, a bill to authorize continuance of causes pending in the Superior and Inferior Courts of this State, during the war, in certain cases.

Also, a bill amendatory of an act incorporating the Dalton City Company, approved February 23d, 1850, and to add an additional section thereto, and for other purposes.

Also, a bill to make effectual the second clause of the second section of the fourth article of the Constitution of the State of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in actions of divorce shall be determined.

Also, a bill to suspend the Statutes of limitations, and for other purposes.

Also, a bill to authorize Guardians, Trustees, Executors and Administrators to invest in Confederate States' Bonds and land and negroes.

Also, a bill to relieve certain persons from the pains and disabilities of a judgment of divorce.

Also, a bill to authorize Polly Knowles, a free person of color, to sell herself and children into perpetual slavery.

The following bill was taken up, read the second time and referred to the committee on Agriculture.

A bill to repeal an act to regulate the hours of labor by all white persons under twenty-one years of age in all cotton, woolen, and other manufacturing establishments in this State, and for other purposes.

The following bill was taken up, read the second time and referred to the Military Committee :

A bill to define and fix the rank of Adjutant & Inspector General, and to allow him a Military Secretary.

The following bill was taken up, read the second time and referred to the committee on Elections :

A bill to authorize volunteers and other troops in the service from this State, to vote at all elections without reference to the place where they may be in service at the time of such elections, and for other purposes.

The following bill was taken up, read the second time and referred to the committee on Banks:

A bill to amend the act incorporating the Bank of Fulton.

The Senate, on motion, adjourned until 10 o'clock to-morrow morning.

THURSDAY, NOVEMBER 21st, 1861, }  
 10 O'CLOCK, A. M. }

The Senate met according to adjournment and was opened with prayer by the Rev. Mr. Echols.

The following bills were reported and read the first time :

Mr. Anthony—a bill to repeal so much of the twelfth section of an act to carry into effect that part of the first section of the Constitution, which requires the establishment of a Supreme Court for the correction of errors and to organize the same and to regulate the proceedings thereof.

Also, a bill to consolidate the offices of Clerk and Reporter of the Supreme Court of Georgia.

Mr. Bell—a bill to define the cost of Ordinaries and Clerks of the Superior Courts in certain cases, and for other purposes.

Also, a bill to confer certain powers on the Inferior Courts of this State in relation to the receipt and disbursement of the common school fund, and for other purposes.

Mr. Bell also reported the following resolution:

*Resolved*, That the Committee on Military Affairs be and it is hereby instructed to inquire into the expediency of revising the Militia system of this State, and report by bill or otherwise, as early as practicable the best means of revising it.

Also, a bill to define the duties of the clerks of the Superior and Inferior Courts of this State, in certain cases.

Mr. Dyer, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President the following House bills, to-wit:

An Act to authorize the several Banks and banking institutions located at Savannah to remove their places of business into the Interior during the invasion of the enemy.

Also, an act to authorize the administrator of the late William Williamson, of the county of Harris, to sell all the lands belonging to the estate of the said William Williamson, lying and being in the counties of Harris and Talbot, at the Court-house in the county of Harris.

Also, an act to authorize the Ordinary of Brooks county to draw a balance of the educational fund due said county for the year 1861.

Mr. Boyd reported the following resolution:

*Resolved*, By the Senate that His Excellency the Governor do forthwith communicate to this branch of the legislature the official report of the Superintendent of the Western and Atlantic Railroad for the past year.

Which was read.



Mr. Brown reported a bill to incorporate in the State of Georgia, an insurance company to be called "The Great Southern Insurance Company," which was read the first time.

Mr. Furlow introduced the following resolutions, to-wit :

WHEREAS, The experience of several months campaign has demonstrated the fact that the constitution and health of our troops from South-western Georgia raised as they have been in a climate almost tropical, are not adapted to and cannot withstand the rigorous climate of Western and North-western Virginia, and as it is evident that the lives of very many of our best citizens must be sacrificed if the authorities persist in retaining such troops among the mountains during the winter.

*And Whereas*, Said troops have already encountered and borne even more than their appropriate share of the privations and hardships of our soldiery, and in many instances companies have lost by deaths and discharges nearly half their original number, and such loss as yet promises no abatement, but is fearfully on the increase.

*And Whereas*, It is not the policy of our government unnecessarily to inflict privations and sacrifices upon our volunteer soldiery, but on the contrary to show mercy, promote health and protect life by every available means in its power which in this case can be readily and easily done by a transfer of said troops to some point further South, and filling their places with forces from the vicinities vacated by them.

*Be it therefore Resolved*, By the General Assembly of Georgia, That the President of the Confederate States, and the Secretary of War, be and are hereby respectfully requested for the sake of mercy and humanity to remove all the Regiments, especially the 1st and 12th Regiments, of Georgia volunteers now doing service in Western and North-western Virginia to some station further South, where their health may be restored, their lives preserved and their valuable services retained thereby to the Government.

*Resolved, Secondly*, That the Legislature of Georgia do not make this request in a spirit of unnecessary complaint or fault-finding, nor from any disposition to favor our State troops above any others from a similar climate, but from a firm conviction of its absolute necessity in preserving the health and lives of our sons and brothers, and in behalf of mothers and sisters whose hearts have been often made to bleed by the intelligence of the privations of their sons and brothers in that most inhospitable clime.

*Resolved, Thirdly*, That His Excellency the Governor be requested to transmit copies of this preamble and resolutions to President Davis, the Secretary of War, and to one of our delegation in the Provisional Congress.

Mr. Boyd reported the following amendment which was accepted, to-wit :

After the word "Regiments" insert "and Legions."

Mr. Furlow offered the following amendment which was agreed to, to-wit :

Strike out "especially the 1st and 12th Regiments."

Mr. Lane offered the following amendment, which was agreed to, to-wit :

*Provided* it be compatible with the public interest.

Mr. Bell offered the following amendment which was accepted, to-wit :

To strike out the words "South-western."

Mr. Hansell offered the following amendment which was accepted :

Strike out the words "persist in retaining" and insert "if such troops are retained."

Mr. Vason offered the following amendment, which was withdrawn, to-wit :

Strike out the whole of the second paragraph of the preamble.

Mr. Vason offered the following amendment which was accepted, to-wit :

Strike out in the second paragraph of the preamble the words "even more than their proportionate," and insert in lieu thereof the words "their full."

Mr. Hansell offered the following preamble and resolutions as a substitute which was lost, to-wit :

WHEREAS, In view of our almost tropical climate whence so many of our brave troops have gone promptly to the defence of our country, and in view of the rigors of the inhospitable climate of North-western Virginia much suffering and loss of most valuable lives will result from the wintering of Georgia troops in that ungenial climate :

*Therefore Resolved*, That we earnestly, but most respectfully, urge upon our Confederate Government to take this subject into early consideration, and direct such changes in the location of our troops as the dictates of humanity and sound policy may require. Hereby enunciating our abiding confidence in the patriotism and ability of our Confederate Government.

2. That a copy of these resolutions be transmitted to the President and Secretary of War ; also, one copy to each of our Senators and Representatives in Congress.

The resolution of Mr. Furlow as amended was agreed to, and on motion it was ordered that the same be transmitted to the House of Representatives immediately.

Mr. Gibson reported a bill to incorporate the Georgia Telegraph Company, which was read the first time.

Mr. Stafford, from the joint and select Committee on Reduction of fees and salaries, made the following report: The joint and select Committee on the reduction of fees and salaries, beg leave to report that they have had the subject under consideration and have agreed upon a report to be made to the House of Representatives of two bills fixing the fees and salaries of all the civil and judicial officers of the State.

They have also had under consideration "a bill to be entitled an act to reduce the salaries and fees of all officers civil and judicial in this State," referred to them by the Senate, and report the same back with a recommendation that it do not pass.

Having fully reported they beg to be discharged from further consideration of the subject.

S. S. STAFFORD, Chairman.

Mr. Gordon reported a bill to authorize the connection of the rail-road of the Savannah, Albany & Gulf Railroad company with the rail-road of the Central Railroad and Banking Company of Georgia, by a track running through or around the city of Savannah, which was read the first time.

Mr. Gordon offered the following resolution:

*Resolved*, If the House of Representatives concur, that this General Assembly will adjourn *sine die* on Saturday, November the 30th.

Mr. Gibson offered the following substitute:

*Resolved*, That a committee of three be appointed by the President to meet a like committee of the House to ascertain the condition of the business of the General Assembly and report an early day for the adjournment of the same, which was lost.

The resolution of Mr. Gordon was agreed to.

Mr. Killen, from the Military Committee, made the following report:

The committee to whom a preamble and resolution concerning the defence of certain Railroad bridges were referred have according to order had the same under consideration, and have directed me to report the same with amendment, which I am ready to do when the Senate pleases to receive it.

Said committee recommend that all said resolution after the preamble be stricken out and the following be substituted in lieu thereof:

*Resolved*, By the Senate, the House of Representatives concurring, that His Excellency the Governor of Georgia be and he is hereby authorized and respectfully requested to detail from the forces now in active service a sufficient number of men to guard such railroad bridges as he may consider in need of military defence, and that with such amendment the same do pass.

SAM'L. D. KILLEN, Chairman.



Said Committee to whom was also referred a certain bill to be entitled an act to fix and define the rank of the Adjutant and Inspector General of the State of Georgia, and to assign him a military Secretary have according to order had also the same under consideration, and have directed me to report the same without amendment, and recommend that the same do pass.

All of which is respectfully submitted.

SAM'L. D. KILLEN, Chairman.

Mr. Jackson reported a bill to amend the charter of Cherokee Insurance & Banking Company so as to reduce the capital stock of said bank to release the same from extra tax assessed against the said bank, and for other purposes, which was read the first time.

Mr. Mitchell reported a bill to repeal an act to regulate the agencies of foreign insurance companies, and to provide for the appointment of an Insurance Commissioner; assented to the 12th of December, 1859.

Mr. Stephens presented a petition which without being read was referred to the Committee on Petitions.

Mr. Stephens also reported a bill to declare certain offices in this State vacant in certain cases, and to provide for filling such vacancies, which was read the first time.

Mr. Seward, chairman of the Judiciary Committee, made the following report :

A bill to make effectual the second clause of the second section of the fourth article of the Constitution of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in actions of divorce shall be determined having had the same under consideration, report the same back to the Senate and recommend it do pass.

Also, a bill to relieve certain persons from the pains and disabilities of a judgment of divorce, report the same back to the Senate and recommend it do pass with an amendment.

Also, a bill to amend an act entitled an act to provide for the public defence, and for other purposes, assented to 18th December, 1860, report the same back to the Senate and recommend it do pass.

Also, a bill to suspend the statute of limitations, and for other purposes, report the same back to the Senate, and recommend it do pass.

Also, a bill to authorize Guardians, Trustees, Executors and Administrators to invest in Confederate States Bonds land and negroes, report the same back to the Senate and recommend it do pass.

Also, a bill to authorize continuances of causes pending in the Superior and Inferior Courts of this State during the war in certain cases, report the same back to the Senate and recommend it do pass with an amendment.

Also, a bill fixing the fees of the Ordinaries of the State of Georgia report the same back to the Senate and recommend it do not pass.

Also, a bill to be entitled an act to authorize Polly Knowles, and other free persons of color to sell themselves into perpetual slavery, report the same back with a substitute in the nature of an amendment, with a recommendation that it do pass.

On motion of Mr. Gordon the Senate went into Executive Session, and after remaining some time the Executive Session was closed and the Senate resumed its regular business.

Leave of absence was granted to Mr. Vason on account of sickness in his family.

On motion the Senate adjourned until 3 o'clock this afternoon.

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#### AFTERNOON SESSION, 3 O'CLOCK, P. M.

On motion of Mr. Gordon the rule was suspended and the report of the Military Committee taken up.

The Senate took up a resolution in reference to the defence of certain Railroad bridges in this State.

The Military Committee to whom it was referred reported it, with a substitute for the resolution to follow the preamble.

The report was agreed to and the resolution passed.

The Senate took up as the report of the committee of the whole,

A bill to fix and define the rank of the Adjutant and Inspector General of the State of Georgia and to assign him a Military Secretary.

The Military Committee to whom it was referred reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed. It was ordered to be transmitted immediately to the House of Representatives.

The Senate took up as the report of the committee of the whole,

A bill to consolidate the offices of Secretary of State and Surveyor General, and for other purposes, which was on motion of Mr. Stafford laid on the table for the balance of the session.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President:* I am directed by the House of Represen-

tatives to inform the Senate that they have passed the following bill, to-wit:

A bill to be entitled an act to aid the Georgia Relief and Hospital Association, and to appropriate money therefor; and I am directed to transmit the same forthwith to the Senate.

The House of Representatives has also passed the following bill of the Senate, to-wit:

A bill to be entitled an act to authorize Charles H. Johnson, administrator of George Dugan late of Spalding county deceased, to sell the lands of said deceased, and I am directed to transmit the same to the Senate forthwith.

The Senate took up as the report of the committee of the whole,

A bill for the relief of Moses Formby, of the county of Floyd, a school-teacher under the acts in relation to common schools.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to alter and amend the several acts incorporating the city of Atlanta, in Fulton county, Georgia.

The report was agreed to, the bill was read the third time and passed.

Mr. Dyer from the committee on Enrollment reported as duly enrolled and ready for the signature of the President the following resolution:

A resolution authorizing the Governor to issue a grant to lot of land number 10, (ten) in the eleventh district of Mitchell county.

Also, a bill to consolidate the offices of Secretary of State and Surveyor General, and to require all the duties of said offices to be performed by the Secretary of State, and for other purposes.

The Senate took up as the report of the committee of the whole,

A bill to authorize Dr. Rufus Barker, of the county of Floyd, to practice medicine, &c.

On motion of Mr. Vason said bill was laid upon the table for the balance of the session.

The Senate took up as the report of the committee of the whole,

A bill to authorize the administrator of the estate of Jas. Connell deceased, to sell the real estate of said deceased at private sale.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,



A bill to authorize Susan B. McGuire, guardian of George L. McGuire, to turn over to her said ward his proper share of her deceased husband's estate, and to make valid the same, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to amend an act entitled an act to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes, assented to December 11th, 1858.

Mr. Bell moved to amend the bill by striking out the third section, which was lost.

Mr. Vason offered the following substitute for the third section :

"That the plaintiff, his agent or attorney, shall be required to make affidavit that he has reason to believe that the facts set forth in the tender of issue are true," which was adopted.

Mr. Hansell moved to amend by striking out in the first section "or by publication in a public gazette in the county in which he may be arrested," which was agreed to.

The report as amended was agreed to, and upon the question shall this bill pass? the yeas and nays were recorded, and the yeas were 19, and the nays 16.

Those who voted in the affirmative were—Messrs.:

Alexander, Bothwell, Echols, Fort, Gaston, Gibson, Gordon, Hansell, Harris, Jackson, Kendall, King, McRae, Seward, Shewmake, Stephens, Vason, Ware, Wright.

Those who voted in the negative were—Messrs.:

Anthony, Bell, Boyd, Brown, Dyer, Fletcher, Griffin, Hill, Jamison, Killen, Lane, Mitchell, Patrick, Simmons, Stafford, Winn.

Yeas 19, nays 16. So the bill was passed.

The Senate took up as the report of the committee of the whole,

A bill to be entitled an act for the relief of Andrew M. Hamilton, &c.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to regulate Foreign Exchanges.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to make a new county out of the counties of Faanklin and Habersham.

The report was agreed to. Upon the question shall this bill pass, the yeas and nays were recorded. There are yeas 10, nays 26.

Those who voted in the affirmative are—Messrs.:

Anthony, Boyd, Echols, Furlow, Jackson, Jamison, Patrick, Seward, Vason, Ware.

Those who voted in the negative are—Messrs.:

Alexander, Beasley, Bell, Bothwell, Brown, Dyer, Fletcher, Fort, Gaston, Gordon, Griffin, Hansell, Harris, Hill, Kendall, Killen, King, Lane, McRae, Mitchell, Shewmake, Simmons, Stafford, Stephens, Winn, Wright.

Two thirds of the members present and voting not voting for the bill the same was lost.

On motion of Mr. Seward a bill to incorporate the Cotton Planters' Bank of Georgia, to give steadiness to the value of Cotton, to make it available as the basis of a sound circulating medium, for the relief of the industrial interests of the country and at the same time to enable the planters to control their own cotton, until the blockade now attempted to be enforced is removed—to guard the planters against an unavoidable necessitous sale of their cotton at less than remunerating prices, and against sacrifices alike detrimental to their interest consequent upon their being forced to draw upon and accept inadequate advancements upon their crops paying heavy commissions, interests, insurance and storage, ruinous to the producers of this great southern staple, and for other purposes, was taken up, and made the special order of the day for to-morrow.

Mr. Dyer offered the following resolution, to-wit :

*Resolved*, By the Senate, the House of Representatives concurring, That the General Assembly in joint convention will convene in the hall of the House of Representatives at the hour of 11 o'clock, A. M., on Tuesday next, the 26th inst., for the purpose of electing a Comptroller General, a State Treasurer, and also a Secretary of State for the ensuing two years.

Which on motion was laid upon the table for the present.

On motion the Senate adjourned until ten o'clock, to-morrow morning.

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FRIDAY, NOVEMBER 22ND, 1861, }  
10 O'CLOCK A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Knowles.

On motion of Mr. Seward the rule was suspended, to take up the report of the Judiciary Committee.

The Senate took up as the report of the committee of the whole,

A bill to make effectual the 2d clause of the second section of the fourth article of the constitution of the State of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in actions of divorce shall be determined.

The Judiciary Committee to whom it was referred reported in favor of its passage.

Mr. Bell offered the following amendment, to come in at the end of the third section—"or either, and which of said children," which was agreed to.

The report as amended was agreed to; the bill read the third time and passed.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington:

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have passed the following bills:

A bill to appropriate money for the support of the Georgia Academy for the Blind.

Also, a Senate bill to be entitled an act to alter and amend an act to change the lines between certain counties, and for other purposes, with amendments by the House, in which they ask the concurrence of the Senate; which last bill I am directed to transmit forthwith to the Senate.

The rule being suspended the Senate took up a Senate bill to alter and amend an act entitled an act to change and alter the county lines between the counties of Dooly and Macon, assented to December 17th, 1860, and for other purposes, which bill was passed by the House of Representatives with certain amendments.

On motion of Mr. Furlow, the amendments of the House were concurred in, and the same ordered to be transmitted to the House of Representatives.

The Senate took up as the report of the committee of the whole,

A bill to amend an act entitled an act to provide for the public defence, and for other purposes, assented to December 18th 1860.

The Judiciary Committee to whom the same was referred, reported in favor of its passage.

Report was agreed to; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,



A bill fixing the fees of the Ordinaries of the State of Georgia.

The Judiciary Committee to whom it was referred reported adverse to its passage.

On motion the bill was laid upon the table for the present.

The Senate took up as the report of the committee of the whole,

A bill in reference to costs in criminal cases.

The Judiciary Committee to whom the bill was referred reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost,

The Senate took up as the report of the committee of the whole,

A bill to authorize continuances of causes pending in the Superior and Inferior Courts of this State during the war, in certain cases.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage, with an amendment, striking out the two provisions in the first section of the bill.

Mr. Gordon moved to amend by inserting after the "Superior and Inferior Courts," the words "and city Courts," which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to suspend the statute of limitations, and for other purposes.

The Judiciary Committee to whom this bill was referred reported in favor of its passage.

The report was agreed to: the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to authorize Guardians, Trustees, Executors and Administrators to invest in Confederate State bonds and in land and negroes.

The Judiciary Committee to whom this bill was referred reported it back with the following substitute for the proviso in the bill:

Provided, that an order to that effect be first obtained from the Judge of the Inferior Court, who is hereby authorized to consider and pass upon such application either in term time or vacation.

The report was agreed to; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to relieve certain persons from the pains and disabilities of a judgment of divorce.

The Judiciary Committee to whom this bill was referred reported an amendment by striking out in the 4th line of the 1st section the words "or may hereafter have," which was agreed to.

The report as amended was agreed to; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to authorize Polly Knowles, a free person of color, to sell herself and her children into perpetual slavery.

The Judiciary Committee to whom this bill was referred reported as a substitute,

A bill to authorize free persons of color to go into slavery, and for other purposes.

Mr. Lane moved to amend the original bill by adding the following sections :

SEC. —. *And be it further enacted*, That from and after the passage of this act, that all free persons of color be and they are hereby required to leave this State within ninety days, or in default thereof to choose an owner; in which event it shall and may be lawful for the Inferior Court of the county to select three discreet and proper persons who shall appraise said free person of color at a moderate cash value—say not less than two-thirds of the real worth of said free person of color; and in the event said owner first so chosen shall fail to comply with the terms of this act, then the said free person of color shall make another choice of an owner, acting under similar privileges and like restrictions, and so on until the objects of this act are secured.

SEC. —. *And be it further enacted*, That the sum or sums of money so raised shall be applied to the support of the indigent families of the Volunteers already in the service of this State, or of the Confederate States, and of those who may hereafter go into said service, said families residing in the county where said free person of color habitually resides.

On motion the bill with the substitute and amendment was laid on the table for the present.

Mr. Dyer, from the Committee on Enrollments, reported as duly enrolled and ready for the signature of the President,

An act to authorize Charles H. Johnson, Administrator on the estate of George Dugan, late of Spalding county, to sell the lands of said estate on the first Tuesday in December next.



Mr. Gordon, from the Committee on Banks, made the following report, to-wit:

The Committee on Banks to whom was referred

A bill to be entitled an act to amend an act incorporating the North-Western Bank of Georgia, have had the same under consideration, and report the same back to the Senate and recommend that it do pass.

They have also had under consideration,

A bill to be entitled an act to amend an act incorporating the Bank of Fulton, and report the same back to the Senate, and recommend that it do pass.

Mr. Killen, from the Committee on the Military, made the following report, to-wit:

*Mr. President*:—The Committee on the Military, to whom was referred the bill to be entitled

An act to authorize the Governor of this State to raise and equip                      thousand of Cavalry, and thousand of Infantry, for the military service of this State, have, according to order had the same under consideration, and have directed me to report against the passage of said bill in its detail, and to report in lieu thereof a substitute which the committee are persuaded will better meet the end sought to be attained by said bill, to-wit:

A bill to be entitled an act to amend an act entitled an act to provide for the public defence, and for other purposes, assented to December 18th, 1860, which is herewith submitted, with the recommendation that said substitute do pass.

Said Committee, without special order, have also had under consideration that portion of the annual message of his Excellency the Governor relating to certain deficiencies in our existing Volunteer system, which not only addresses itself to our serious consideration, but in our opinion, demands a remedy by Legislative enactment; to which end I am instructed by the committee to report

A bill to be entitled an act to make efficient the Volunteer organizations of the State, which is herewith submitted and made part of this report.

All of which is respectfully submitted.

(Signed)

SAMUEL D. KILLEN,

Chairman.

The bill proposed by the Military Committee, to-wit:

A bill to be entitled an act to make efficient the Volunteer organization of this State, was read the first time.

Mr. Alexander, from the Committee on the Penitentiary, made the following report, to-wit:

The Committee of the Senate and House of Representatives on the Penitentiary beg leave to report as follows:



They have visited and examined the Institution in all its departments, and are gratified to have found it in a highly prosperous condition. The improvements heretofore projected are now completed; consisting of commodious brick workshops, a spacious brick building, containing a Hospital, Chapel, Eating-Room, &c., together with additional Cell-Rooms on the walls of the old building for that purpose.

The removal of the original workshops, so dilapidated and badly contrived, has been of great benefit to the Institution. It has left considerable unoccupied area within the walls, thus increasing the facilities for working the convicts, and will unquestionably conduce to the preservation of the health both of convicts and officers.

Since the commencement of the war between the North and South, the Penitentiary has been of incalculable service to our State in the Confederate cause. The most cursory examination of the Principal Keeper's report, will show the fact, that throughout every department it has been incessantly engaged in furnishing all kinds of equipments to our brave and eager soldiery. And should there be a protracted conflict, now that most of the convicts are skilled in this kind of labor, it cannot but prove a most economical and important auxiliary in securing our independence. Thus we may be enabled to avail ourselves of crime at home to assist in repelling or destroying the criminal invaders of Southern soil.

Among other things we were pleased to find the tanning department in successful operation. It seems well supplied with stock and material of all kinds, and to be conducted with skill and energy. In our judgment too much attention cannot be bestowed in this indispensable branch of the public necessities.

The entire management of the Institution reflects great credit on James A. Green, the Principal Keeper. The evidences of energy and system, prudence and skill, are every where apparent, whilst we specially commend the strict discipline he has instituted. Without the prescription of rigid rules and their stern enforcement, such an Institution fails totally in its fundamental purposes—the punishment of evil doers. The highest compliment to the Principal Keeper in this and other respects is desirable, from the fact that for the coming year he asks no appropriation for improvements, material or subsistence. On the contrary his report shows a considerable quantity of available assets on hand. Thus, for the pending war, we at least have the consoling prospect that the Penitentiary will prove self-sustaining, if not a source of revenue.

A sub-committee from the joint committee have examined the books and vouchers of the Book Keeper. So far

as their investigation extended, all the vouchers were correct and well arranged, and the books kept with remarkable system, neatness and accuracy. In fact your committee would do injustice to Mr. T. T. Windsor, the courteous officer of this department, did they not make special mention of his marked efficiency and fidelity to his trust.

In view of these facts and the stringency of our money affairs, your committee have no improvements or change to recommend. They are content to let well enough alone. It is their duty, however, to remark, that their attention was directed to the practicability of classifying and separating convicts according to offences, ages and characters. As matters now stand this can only be done to a very limited degree; but the propriety of making arrangements to effect it on a more extensive and systematic plan cannot admit of question. A man who had done wrong under the influence of passion or the temptations of confidence, should not be thrown in necessary and daily contact with the abandoned wretch who prides himself on the infamy of the most heinous crimes. The youth of tender age who has, perhaps unthoughtedly, committed his first offence, should not be the constant companion of the professional malefactor, who will only train him in the acts of villiany. This policy of promiscuous mingling and uniform treatment, is not only pernicious in view of the evil effects of example and association, but it will almost invariably result in deadening the finer sensibilities of any man who retains a sense of right and honor, and hopes for respectability in the future. Without self-respect reformation is impossible.

Your committee have neither time nor data by which to mature or suggest a plan accomplishing this desirable end; but would recommend that the Governor be authorized to appoint three fit and proper persons, of which the Principal Keeper shall be one, to investigate this subject in all its details, and report through the Governor to the next General Assembly, the nature of the plans and the probable expense to be incurred.

(Signed)

SAMUEL F. ALEXANDER,

Chairman.

The rule being suspended, Mr. Alexander, as recommended by the committee on the Penitentiary, offered the following resolution, to-wit:

*Resolved by the Senate and House of Representatives, That after the close of the present session the Governor is requested to appoint two competent persons who, in connection with the Principal Keeper, shall consider the propriety of classifying and separating the convicts in the Penitentiary with reference to ages, grades of offence, and general character.*

Also, the practicability of arranging the present Institution to accomplish the end proposed. And that said appointees make their report to the next General Assembly, with the plans, if any, that may be suggested, and especially the smallest amount of expenditure necessary in the premises.

On motion the foregoing resolutions were taken up, read and agreed to.

Mr. Brown, Chairman of the Committee on Elections, made the following report:

A bill to authorize Volunteers and other troops to vote at all elections, &c.

Having had the same under consideration, report the same back to the Senate and recommend it do pass with an amendment.

The Senate took up as the report of the committee of the whole, the special order, which was

A bill to protect the estates of married women, and to provide the manner of securing the same, and to provide for the distribution thereof, and for other purposes therein mentioned.

The Judiciary Committee to whom the bill was referred, reported adversely to its passage.

Mr. Mitchell moved that the report of the Judiciary Committee be disagreed to.

Mr. Hansell moved to amend by adding the following section to the bill:

SECTION 7. *Be it further enacted*, That should any such *feme sole* be liable for any debt or debts at the time of her marriage, the creditors of such *feme sole* may institute his, her, or their action or actions at law or equity for the recovery of such demand against the trustee heretofore provided for, and upon the recovery of judgment upon such claim or claims, the same shall be enforced against the property of said female; which amendment was accepted.

Pending the discussion of the bill the Senate adjourned until three o'clock this afternoon.

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#### AFTERNOON SESSION, THREE O'CLOCK, P. M.

The Senate resumed the consideration of the special order of the morning.

During the discussion of the bill

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk, to-wit:



*Mr. President:*—I am directed by the House of Representatives to inform the Senate that they have passed the following bill, which I am instructed forthwith to transmit to the Senate, to-wit:

A bill to be entitled an act to fix the salaries and compensation of certain officers mentioned therein, and for other purposes.

Mr. Beasley called for the previous question upon the bill under consideration.

The call for the previous question being sustained, the main question was ordered to be put.

The main question was, will the Senate disagree to the report of the Committee on the Judiciary.

The report was disagreed to.

Upon the question, shall this bill pass? the yeas and nays were recorded, and were yeas 27, nays 13.

Those who voted in the affirmative were—

Messrs. Alexander, Anthony, Beasley, Bothwell, Boyd, Brown, Dyer, Echols, Furlow, Gibson, Hansell, Harris, Hilliard James, Killen, King, McRae, Mitchell, Patrick, Shewmake, Simmons, Smith, Stafford, Stephens, Swearingen, Ware, Winn, Wright.

Those who voted in the negative were—

Messrs. Bell, Fletcher, Fort, Gaston, Gordon, Griffin, Hill, Jackson, Jamison, Kendall, Lane, Mosely, Seward.

Yeas 27; nays 13. So the bill was passed.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington:

*Mr. President:*—I am instructed by the House of Representatives to inform the Senate that they have passed the following bill, to-wit:

An act to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes therein mentioned; and I am directed to transmit the same to the Senate forthwith.

The rule being suspended, the Senate took up and read for the first time the following bills from the House of Representatives, to-wit:

A bill to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes therein mentioned.

Also, a bill to fix the salaries and compensation of certain officers mentioned therein, and for other purposes.

The rule being suspended, on motion of Mr. Hansell, the order to transmit to the House the action of the Senate in concurring in the amendment of the House of Representa-

tives to a bill to alter and amend an act entitled an act to change and alter the county lines between the counties of Dooly and Macon, assented to December the 19th, 1860, and for other purposes; was rescinded.

By unanimous consent of the Senate the motion to concur in the amendment was reconsidered, and

Mr. Hansell offered the following amendment, to-wit, to come in after the amendment of the House of Representatives:

Being a town lot in the town of Rough and Ready, on the South side of said land lot being a square of one half acre, which is to remain in the county of Clayton, which was agreed to.

The amendment of the House as amended was concurred in.

The Senate then adjourned until to-morrow morning, 10 o'clock.

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SATURDAY, NOVEMBER 23RD, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Moseley.

Mr. Killen moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to make effectual the second clause of the second section of the fourth article of the Constitution of the State of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in actions of Divorce shall be determined was passed.

The motion to reconsider prevailed.

Mr. Bell moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill was passed to protect the estates of married women, and to provide the manner of securing the same, and to provide for the distribution thereof, and for other purposes therein mentioned.

The motion to reconsider was lost.

The following message was received from His Excellency the Governor by Mr. Waters his Secretary, to-wit:

*Mr. President:* I am directed by His Excellency the Governor to deliver to the Senate a communication in writing, with accompanying document.

By leave of the Senate Mr. Gordon reported a bill to prescribe the terms of citizenship and residence in certain cases and for other purposes, which was read the first time.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington:

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that the House of Representatives has passed a substitute to the following bill of the Senate, to-wit: A bill to be entitled an act to authorize the City Council of Augusta to issue one hundred thousand dollars in Treasury notes, and for other purposes, and I am instructed to transmit the same to the Senate forthwith.

The House of Representatives has also concurred in the amendment of the Senate to the following bill, to-wit:

A bill to be entitled an act to alter and amend an act to change and alter the county lines between the counties of Dooly and Macon, assented to December 17th, 1860, and for other purposes.

On motion of Mr. Gibson the Senate took up the bill of the Senate to authorize the City Council of Augusta to issue one hundred thousand dollars in Treasury notes, and for other purposes for which the House of Representatives had passed a substitute.

On motion of Mr. Gibson the substitute of the House of Representatives was agreed to.

The Senate took up the bill to authorize Polly Knowles a free person of color to sell herself and her children into perpetual slavery, which together with the substitute of the Judiciary Committee and amendment of Mr. Lane were yesterday laid upon the table.

Mr. Lane offered the following substitute for the original bill and substitute of the Judiciary Committee:

A bill to compel all free persons of color in this State to leave the State within ninety days, or to choose an owner and go into voluntary servitude, and for other purposes.

Mr. Jamison moved to amend by excepting from the provisions of the bill offered as a substitute by Mr. Lane, Newton Coker and his wife, of Towns county, which was agreed to.

The substitute of Mr. Lane was rejected.

Mr. Seward offered the following amendment to the report of the Committee:

*And be it further enacted,* That in any county of the State where in the opinion of the Inferior Court of said county there are any idle or vicious free person of color or free persons of color who may be so situated as to exercise an improper or mischievous influence upon the slave or slaves in that particular neighborhood it shall be the duty of the In-



ferior Court to hear evidence upon complaint made as to the character of any such free person of color—and if said Court should so adjudge, the said free person or persons of color shall be sold upon such terms as the Inferior Court may direct, which amendment was agreed to.

Mr. Boyd offered the following amendment :

*And be it further enacted,* That all free persons of color under the age of fourteen years, who are not represented by any relative mentioned in this act in any county in this State, the Inferior Court shall put such free person or persons of color under the control and management of some proper citizen of the county until such free person of color shall come to fourteen years of age, under such contract as said Inferior Court and such proper citizen may make which contract shall be entered of record on the minutes of the Court. Said proper citizen shall not remove such free person of color from said county without leave of said Court in writing to that effect. Which amendment was agreed to.

The report of the Judiciary Committee as amended was agreed to, the bill was read the third time and passed.

Mr. Hill, from the Committee on Petitions, made the following report, to-wit :

The Committee on Petitions to whom was referred the memorial of sundry citizens of the county of Fannin have had the same under consideration, and ask leave to make the following report, viz.:

It being the opinion of this Committee that the memorialists are asking for the passage of a law that would grant exclusive privileges to a certain class of citizens of Fannin county, viz.: to the manufacturers of intoxicating or spirituous liquors, who they ask may be privileged to make and vend the same at the place or places where manufactured, in any quantity without a license, which in the opinion of this committee is detrimental to the interest of the citizens of said county, and ought not to be granted.

The said Committee also made the following report, to-wit :

The Committee on Petitions to whom was referred the petition of J. J. Flournoy, of Jackson county, after having the same under consideration, report the same back with a recommendation that the prayer of the petitioner being calculated to subvert public morals is unreasonable and ought not to be granted, and we recommend that said petition lie on the table the ballance of the session without being read.

Your Committee therefore asks to be discharged from any further consideration of the same.

On motion each of said reports was taken up, read and agreed to.

On motion of Mr. Harris leave of absence was granted to the Messenger of the Senate until Tuesday next.

The rule being suspended on motion of Mr. Gibson the following bills from the House of Representatives were severally read the second time, to-wit:

A bill to be entitled an act to fix the salaries and compensation of certain officers therein mentioned, and for other purposes.

Also, a bill to be entitled an act to fix the compensation of the members and officers of the General Assembly, &c.

On motion the following communication from the Governor was read, and together with the accompanying documents referred to the Committee on Agriculture:

EXECUTIVE DEPARTMENT, }  
Milledgeville, Ga., November 23, 1861. }

*To the General Assembly:*

I herewith transmit a copy of a resolution passed by the Cotton Planters' Convention of the Confederate States at its first session at Macon in July last, requesting me to take such steps as might be necessary to place before the people or their representatives such information as may serve to promote the development of the cotton yarn interest of the South with a view to opening a foreign demand for Southern spun cotton yarns, together with a copy of an order appointing Mr. C. G. Baylor to collect the information desired by the Convention. I also transmit a copy of the able and interesting report of Mr. Baylor which contains much valuable statistical information, together with a direct trade map prepared by him which may be found interesting. I recommend such appropriation to compensate Mr. Baylor for his services as the General Assembly may determine to be reasonable.

JOSEPH E. BROWN.

On motion of Mr. Boyd the following resolution was taken up, read and agreed to, to-wit:

*Resolved*, By the Senate that His Excellency the Governor do forthwith communicate to this branch of the Legislature the official report of the Superintendent of the Western and Atlantic Railroad for the present year.

On motion the Senate went into secret Executive Session—after remaining some time the Executive Session was closed, and the Senate resumed its regular business.

On motion the Senate adjourned until Monday morning, 10 o'clock, A. M.

MONDAY, NOVEMBER 25TH, 1861. }

10 O'CLOCK A. M. }

The Senate met according to adjournment and was opened with prayer by the Rev. Mr. Pinkerton.

Mr. Dyer moved to reconsider so much of the Journal of Saturday as relates to the vote, by which a bill, to authorize free persons of color to go into slavery, and for other purposes, was passed.

The motion to reconsider was lost.

Leave of absence was granted to Mr. Gordon for a few days, on special business.

The rule being suspended, Mr. Hansell reported a bill to prescribe the term of office of the Judges of the Supreme Court ; which was read the first time.

Mr. Seward, of the Judiciary Committee, made the following report, to-wit :

A bill to be entitled an act amendatory of an act relative to continuances in certain cases therein named, approved 9th February, 1854 ; having had the same under consideration, report the same back to the Senate and recommend it do pass.

The Senate took up the bill to incorporate the Planters' Insurance Trust and Loan Company ; which, on motion, was ordered to lie upon the table for the present.

On motion, of Mr. Seward, the Senate took up the bill to incorporate the Cotton Planters' Bank of Georgia, to give steadiness to the value of cotton, to make it available as the basis of a sound circulating medium for the relief of the industrial interest of the country, and at the same time to enable the planter to control their own cotton until the blockade now attempted to be enforced is removed, and for other purposes ; which, on motion, was made the special order for this afternoon.

The rule being suspended, on motion of Mr. Stafford, the bill from the House of Representatives was taken up as the report of the committee of the whole, to fix the salaries and compensation of certain officers mentioned therein, and for other purposes.

On motion, the bill was read by paragraphs and sections.

Mr. Seward moved to amend the bill so far as relates to the salary of Judges of the Supreme Court, by striking out twenty-five hundred and inserting two thousand dollars ; which was agreed to

Mr. Seward moved to amend the bill so far as relates to the salary of the Reporter of the Supreme Court, by striking out eight hundred and inserting six hundred dollars ; which was agreed to.

Mr. Mitchell moved to amend the bill so far as relates to



the salary of Judges of the Superior Court, by striking out eighteen hundred and inserting fifteen hundred dollars ; which was agreed to.

Mr. Mitchel moved further, to amend the bill so far as relates to the Comptroller General, by striking out two thousand and inserting sixteen hundred dollars ; which motion was lost.

The first section as amended was agreed to.

The second section was agreed to.

The report as amended was agreed to ; the bill was read the third time and passed.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington :

*Mr. President* :—I am directed by the House of Representatives to inform the Senate that they have adopted a resolution in relation to the appointment of a joint committee of both Houses, to examine into the business before the General Assembly with a view to an early adjournment, of the same ; and have appointed as such committee, on part of the House of Representatives, Messrs. Bigham of Troup, Cabaniss of Monroe, and Lee of Muscogee. I am further instructed to transmit the same to the Senate forthwith.

Mr. Dyer, Chairman of the committee on enrollment, makes the following report of acts duly enrolled and ready for signature, to-wit :

An Act to alter and amend an act entitled an act to change and alter the county lines between the counties of Dooly and Macon ; assented to December 17th, 1860.

And also to change the lines between the counties of Clayton and Fulton, and for other purposes.

Also, an act to authorize the City Council of Augusta, to issue one hundred thousand dollars in Treasury notes, and for other purposes.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill from the House of Representatives to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes therein mentioned.

On motion, the bill was read by paragraphs.

Mr. Furlow moved to amend the report so far as relates to the *per diem* compensation of members of the General Assembly, by striking out five dollars and inserting four dollars.

Upon agreeing to the motion the yeas and nays were recorded, and the yeas were 19 and the nays were 21.

Those who voted in the affirmative were :

Messrs. Beaseley, Bell, Bothwell, Boyd, Echols, Furlow,

Harris, Hill, Jas. Hilliard, Lane, Mitchell, Moseley Patrick, Seward, Simmons, Smith, Stephens, Ware, Wright.

Those who voted in the negative were :

Messrs. Alexander, Anthony, Brown, Dyer, Fletcher, Fort, Gaston, Gibson, Griffin, Hansell, Jackson, Jamison, Kendall, Killen, King, Lewis, McRae, Shewmake, Stafford, Swearingen, Winn.

Yeas 19. Nays 21. So the motion was lost.

Mr. Hansell moved to amend by striking out five dollars, in pay of members, and inserting four and a half dollars.

The motion was divided, and the motion to strike out was lost.

Pending the consideration of the bill, the following message was received from the House of Representatives by their Clerk, Mr. Carrington.

*Mr. President* :—I am directed by the House of Representatives to inform the Senate that they have passed the following bill to-wit :

A bill to be entitled an act to incorporate the town of Bellville in the county of Richmond ; and I am further instructed to transmit the same to the Senate forthwith.

The Senate resumed the consideration of the bill before them.

Mr. Furlow moved to amend the report by striking out the last clause of the first section, and insert unless leave of absence was granted by the Senate or House of Representatives, which was agreed to.

Mr. Lane moved to amend the report so far as relates to the mileage of members, by striking out four and inserting two dollars, which was lost.

The report as amended was agreed to ; the bill was read the third time and passed.

And on motion of Mr. Seward, the two bills of the House of Representatives, just passed with amendments, were ordered to be transmitted forthwith to the House of Representatives.

Mr. Swearingen, the rule being suspended, reported the following resolution, which was read :

*Resolved*, That a committee of three be appointed to act in conjunction with a similar committee to be appointed by the House, whose duty it shall be to examine into the affairs and condition of the Western & Atlantic Railroad.

The Senate refused to take up the resolution.

On motion of Mr. Lewis, the rule was suspended and the Senate took up the resolution of the House of Representatives in relation to the appointment of a joint committee of

both Houses, to examine into the business of the General Assembly with a view to an early adjournment of the same; which resolution was agreed to by the Senate, and Messrs. Lewis, Seward and Bell were appointed upon the joint committee on the part of the Senate.

The rule being suspended, on motion of Mr. Moseley, the Senate took up as the report of the committee of the whole the following bills, to-wit :

A bill to authorize the Judges of the Superior Courts of this State on application of any wife for Alimony who has been sued by her husband for divorce, to hear the testimony and determine accordingly.

The Judiciary committee to whom this bill had been referred, reported the same back to the Senate, with the recommendation that it do not pass.

Mr. Moseley offered the following substitute in the nature of an amendment, which was agreed to, to-wit :

A bill to require the Judges of the Superior Courts in this State, on application of any woman for Alimony, who shall be sued for divorce by her husband, to try the case by Jury, as in other cases provided for by the laws of this State.

The report of the committee was disagreed to; so the bill was lost.

Also, a bill to reduce the salaries and fees of all officers civil and judicial in this State.

On motion of Mr. Moseley, this bill was laid upon the table for the balance of the session.

Also a bill to legalize the proceedings of G. J. Green as Deputy Ordinary of the county of Spalding.

Mr. Seward made a motion to strike out the word "Deputy" in the caption and body of the Bill, wherever it occurs, and insert in lieu thereof, "Clerk of the," which was accepted.

The report was agreed to; the bill was read the third time and passed.

Also a bill to legalize the last will and testament of Thomas Allen, deceased, and for other purposes.

The report of the committee was disagreed to; so the bill was lost.

The Senate took up as the report of the committee of the whole,

A bill to exempt practicing physicians in the county of Jefferson, from road and Jury duty, and for other purposes.

Mr. Gibson moved to amend the report by adding the word "Millers," after the word "physicians," wherever it



occurs in the title and body of the bill, which was agreed to.

The report as amended, was read the third time and passed.

On motion, the rule was suspended, and the Senate took up as the report of the committee of the whole, the bill, to-wit:

A bill to authorize the Governor of this State, to raise and equip                    thousand of Cavalry and                    thousand of Infantry for the military service of this State.

The committee on the military to whom this bill was referred, reported the same back to the Senate with the following substitute in the nature of an amendment, which was agreed to, to-wit:

A bill to amend an act entitled an act to provide for the public defence, and for other purposes.

To which substitute Mr. Killen offered the following amendment, to-wit:

*Be it further enacted by the authority aforesaid, That for the accommodation, equipments and support of the forces now in the active service of the State, and such as may be called into service under the provisions of this Act and the above recited act, (of which this act is amendatory) it shall be lawful for the Commander-in-chief of the State, and he is hereby authorized and required to appoint such Quartermasters, Commissaries, and other Staff Officers, as to him may be deemed necessary, and to commission them respectively, with the same rank and grade as is provided by the laws of the Confederate States for the like officers in the army of the Confederate States; said appointees first complying with similar requirements to those required of the like appointees under said Confederate States law, as to giving bond and security, &c.*

On motion, of Mr. Killen, the bill with the Amendments, was laid upon the table for the present.

On motion the Senate adjourned to 3 o'clock P. M.

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#### AFTERNOON SESSION, 3 O'CLOCK P. M.

The special order for the afternoon was passed for the present, on account of the absence of Mr. Seward.

The Senate took up as the report of the committee of the whole,

A bill for the relief and protection of the right and pro-

perty of the minor children of Sophia McBride of Haralson county.

Mr. Fletcher offered the following Amendment :

*Provided*, That Mrs. Sophia McBride shall first give bond and good security in double the amount of property received for each minor heir in said case ; which was agreed to.

The report as amended was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, the following bill from the House of Representatives, to-wit :

A bill to consolidate the offices of Secretary of State and Surveyor General, and for other purposes.

On motion the said bill was laid upon the table for the balance of the session.

The Senate took up as the report of the committee of the whole,

A bill for the relief of Sumner W. Baker and Solomon B. Smith, Executors on the estate of Benjamin Lane, late of said county, deceased.

The report was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to reimburse and pay by the State to the several counties in this State, all such sums of money as they may or shall have paid for the equipment of volunteer companies from their respective counties, and for the support of indigent families of such volunteers, and for other purposes; which, on motion, was referred to the committee on Finance.

The Senate took up as the report of the committee of the whole,

A bill to make effectual the second clause of the second section of the fourth article of the Constitution of the State of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in actions of divorce shall be determined.

Mr. Killen offered the following amendment to come in after the word "verdict," after all just debts shall be paid, shall be subject to a division or equal distribution between the children of such parties, except the Jury before whom the same may be tried, shall think proper to allow either party a part thereof ; which amendment was lost.

The report was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, the special order, which was,

A bill to incorporate the Cotton Planters' Bank of Georgia, to give steadiness to the value of cotton and to make it available as the basis of a sound circulating medium for the relief of the industrial interests of the country, and at the same time to enable the planters to control their own cotton until the blockade now attempted to be enforced is removed, &c., and for other purposes.

Mr. Gibson moved to make the bill the special order for Wednesday next; which motion was lost.

Mr. Seward moved to amend by inserting in the second line of the bill, after the word that, the names of Thomas Jones, Thomas Hardee, Arthur P. Wright, William Stegall, Jas. L. Seward and Thos J. McBain; which was agreed to.

Mr. Stafford moved to amend by adding "Blakely" after "Valdosta," in section third; which was accepted and agreed to.

Mr. Dyer offered the following amendment, which was agreed to, to-wit:

At the end of the fourth section, "that if at any time a majority of the stock is held and controlled by persons non-residents of this State, then, and in that event, the said charter shall be forfeited.

Mr. Hansall offered the following amendments, which were agreed to, to-wit:

After the word "subscribed" in the fourth section, add "shall be paid in." Strike out the words "real estate" in the seventh section, and insert in lieu thereof, "such real estate as may be necessary for their business, and such as they may buy *bona fide* in collection of any debt or debts due said company, and no other lands."

Mr. Smith offered the following amendment, which was agreed to, to-wit:

Add at the end of the seventh section, "that the stockholders of said company shall be liable jointly and severally, for all debts and contracts created by said company."

Mr. Lewis offered the following amendment, which was accepted, to-wit:

"Sec. *And be it further enacted*, that no one shall hold stock in said bank, except he be a cotton planter, nor shall he subscribe to the capital stock of said bank, any other than cotton of his own raising.

The report as amended was agreed to, and the bill was read the third time.

Upon the question, "shall this bill pass?" the yeas and nays were recorded, and were yeas 34, nays 5.

Those who voted in the affirmative were:

Messrs. Anthony, Beasley, Bell, Bothwell, Boyd, Brown,



Echols, Fletcher, Fort, Furlow, Gaston, Griffin, Hansell, Hill, James Hilliard, Jackson, Jamison, Kendall, Killen, King, Lane, Lewis, McKee, Mitchell, Moseley, Seward, Shewmake, Simmons, Smith, Stafford, Swearingen, Ware, Winn, Wright.

Those who voted in the negative were :

Messrs. Alexander, Dyer, Gibson, Patrick, Stephens.

Yeas 34. Nays 5. So the bill was passed.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington :

*Mr. President* :—I am instructed by the House of Representatives to inform the Senate, that they refuse to concur in the amendments of the Senate to the bill to be entitled an act to fix the salaries and compensation of certain officers mentioned therein, and for other purposes ; and they respectfully request the Senate to recede from the same. The House of Representatives also refuse to concur in the amendment of the Senate to a bill entitled an act to fix the amount of compensation of the members and officers the General Assembly shall receive for their services, and for other purposes therein mentioned ; and they respectfully ask the Senate to recede from said amendment.

On motion, leave of absence, for a few days, was granted to Mr. Bothwell, after Wednesday next.

On motion of Mr. Seward, the bill last passed, was ordered to be transmitted forthwith to the House of Representatives.

The Senate adjourned till ten o'clock to-morrow morning.

TUESDAY, NOVEMBER 26TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Mosely.

Mr. Jackson moved to reconsider so much of the Journals of yesterday as relates to the vote by which

A bill to legalize the proceedings of G. J. Green, Clerk of the Ordinary in Spalding county, was passed ; which motion to reconsider was lost.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington :

*Mr. President* :—I am directed by the House of Repres-

entatives to inform the Senate, that they have passed the following bill, to-wit :

A bill to be entitled an act to repeal the fourteenth section of an act to incorporate the town of Valdosta in the county of Lowndes, and for other purposes therein mentioned.

On motion of Mr. Seward, the message of the House of Representatives refusing to concur in the amendments of the Senate to the following bills from the House of Representatives :

A bill to fix the salaries and compensation of certain officers mentioned therein, and for other purposes.

Also a bill from the House of Representatives to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes.

On motion of Mr. Lewis, the Senate receded from their amendment to the bill.

Mr. Lewis moved to amend the same by adding to the end of the first section the following :

Or unless leave of absence was granted by the Senate or House of Representatives for satisfactory reasons ; which amendment was agreed to.

Mr. Seward moved that the Senate insist on their amendments to the former bill, in relation to the salaries of the Judges of the Supreme and Superior Courts, and to recede from their amendment in relation to the salary of the Reporter of the Supreme Court.

Which motion was agreed to, and the Secretary ordered to transmit the same to the House forthwith.

A bill to carry into effect the 4th clause of the 1st section of the 3d article of the constitution of this State, was passed over for the present.

The bill to incorporate the Planters' Insurance Trust & Loan Company being taken up, was made the special order for to-morrow on motion of Mr. Vason.

The rule being suspended,

Mr. Mitchell reported the following bill, to-wit :

A bill to authorize the Justices of the Inferior Courts to issue bonds and borrow money in certain cases, which bill was read the first time,

The rule being suspended,

Mr. Mitchell offered the following resolutions, which were taken up and read, to-wit :

*Whereas*, The revolution now going on and the war between the United States and Confederate States have not

only crippled the agricultural interest of the country, prostrated its commerce, unsettled trade, and utterly deranged the finances and currency of the Confederate States from one end of the Confederacy to the other :

*And Whereas*, The rectification of the national currency and the sound restitution of a healthy circulating medium is, in the opinion of the General Assembly, one of the highest objects and motives of all legislative action :

*And Whereas*, In the opinion of this General Assembly, for the purpose of restoring and furnishing a sound national circulating medium, it is the duty of the Congress of the Confederate States to issue such an amount of Confederate States Treasury notes as may be necessary to purchase all the surplus cotton, rice, tobacco, flour, bacon, and corn, at a remunerating price to the producer—such price as will alone pay the producer for the labor bestowed in the production of each article, and pay for the same in Treasury notes, redeemable in gold or silver coin or Confederate States bonds, bearing an interest of eight per cent. two years after the close of the present war ; said bonds to run for such time as may be agreed upon by the parties.

1. *Resolved*, Therefore, that our Senators and Representatives in the Congress of the Confederate States be respectfully requested to use all their efforts and influence to have a bill passed by the Confederate Congress for the purpose of carrying into effect the policy indicated in the foregoing preamble.

2. *Resolved*, That copies of the foregoing preamble and resolutions be forwarded to each of our Senators and Representatives in the Confederate Congress.

Mr. Lewis, from the Committee on Finance, made the following report :

The Committee on Finance have considered the several bills referred to them on the subject of authorizing the Inferior Courts of the several counties therein named to raise extra taxes for equipping Volunteer companies, &c., and recommend that the General House bill on said subject be received as a substitute for all of them, and be passed by the Senate.

On motion of Mr. Lewis, the report was taken up.

The bill from the House of Representatives to authorize the Justices of the Inferior Courts of the several counties of this State from time to time in their discretion, to levy such extra taxes as they may deem necessary to equip Volunteer or other soldiers from their respective counties, and to provide for the indigent families of soldiers—to authorize the collection of the same, and to legalize their previous action in the premises, and for other purposes ; was taken up as the report of the committee of the whole.



The Committee on Finance, to whom the bill was referred, reported in favor of its passage.

Mr. Hilliard moved to amend the report by striking out the county of Stewart from the second section of the bill, which was agreed to.

Mr. Gibson offered the following amendment, to come in at the end of the section next to the last:

*Provided, nevertheless,* That no Inferior Court shall be allowed to collect any poll or other tax out of soldiers in the service of the country—State or Confederate.

Mr. Vason moved to amend the amendment, by adding—

*Provided,* That no person shall be entitled to the benefits of this provision whose property exceeds twenty thousand dollars; which motion was lost.

The amendment of Mr. Gibson was lost.

Mr. Swearingen offered the following amendment as an additional section:

Sec. *Be it further enacted,* That the Inferior Court of any county in this State may raise money for the purposes mentioned in this Act, by the issue and sale of county bonds; which was withdrawn.

Mr. Bell offered the following amendment, as an additional section to the bill:

*Be it further enacted,* That the citizens of the counties of Gwinnett and Milton, who have contributed money to equip volunteer companies, or support volunteers' families, upon making out an account thereof, and swearing to the same, shall, if they desire, have the same deducted from any tax which may be hereafter assessed against them for the purposes specified in this act; which was lost.

Mr. Seward offered the following additional section, as an amendment:

*And be it further enacted,* That the several amounts raised in each county, under the operation of this act, shall be a charge against the State, and the several counties aforesaid shall be entitled to demand of the State the sums they may have expended; and it shall be the duty of the State to provide for the payment thereof.

Mr. Harris offered the following amendment to the amendment:

*Provided,* That not more than twenty-one dollars per volunteer or man shall be demanded of the State; which was accepted.

The amendment of Mr. Seward was then lost.

Mr. Stafford offered the following amendment, which was lost:

To strike out "except Academy and Poor and Common School Funds," in the 5th section.

Mr. Seward moved to recommit the bill to the Military Committee; which was withdrawn.

The report as amended was agreed to; the bill read the third time and passed; and,

On motion of Mr. Hilliard, of Stewart, ordered to be transmitted to the House of Representatives forthwith.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill to reimburse and pay by the State, to the several counties in this State, all such sums of money as they may have, or shall hereafter pay, for the equipment of volunteers from their respective counties, and for the support of the indigent families of said volunteers, and for other purposes.

The Committee on Finance, to whom this bill was referred, reported the same back to the Senate, with an amendment, in the nature of a substitute, entitled

An act to equalize the burthens of taxation among the several counties of this State, so as to secure a uniform rate in the taxes levied, or to be levied, for the equipment of volunteers, and for the support of their indigent families—with a recommendation that said substitute do pass. Said substitute was accepted in lieu of the original bill.

On motion of Mr. Seward, the bill was laid upon the table for the present, and fifty copies ordered to be printed.

The following bills were reported, and read the first time, to-wit:

Mr. Boyd—An act for the reduction of the salaries of the officers of the Western & Atlantic Railroad.

Mr. Vason—A bill to be entitled an act to settle conflicts of the Code of this State with the acts of the last General Assembly, and for other purposes.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill to repeal an act entitled an act to settle and fix the hours of labor by all white persons under twenty-one years of age, in cotton, woolen, and other manufacturing establishments in this State, and for other purposes, assented to 20th day of February, 1861.

The Committee on Agriculture, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report was agreed to.

Upon the question, Shall this bill pass? the yeas and nays were recorded. The yeas were 25; the nays 16.

Those who voted in the affirmative are—

Messrs. Alexander, Beasley, Bell, Bothwell, Boyd, Brown,

Dyer, Echols, Fletcher, Furlow, Gaston, Hansell, Harris, Hill, Thos. Hilliard, Jamison, Killen, Lane, McRae, Mitchell, Patrick, Simmons, Vason, Winn, Wright.

Those in the negative are—Messrs :

Anthony, Fort, Gibson, Griffin, James Hilliard, Jackson, Kendall, King, Lewis, Moseley, Seward, Shewmake, Stafford, Stephens, Swearingen, Ware.

Yeas 25, nays 16. So the bill was passed.

The following message was received from His Excellency the Governor, by Mr. Waters his Secretary, to-wit :

*Mr. President :* I am directed by His Excellency the Governor, to deliver to the Senate a communication in writing.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington :

*Mr. President :* I am instructed by the House of Representatives to inform the Senate that the House of Representatives have receded from their disagreement to the amendments of the Senate to the bill entitled an act to fix the salaries and compensation of certain officers mentioned therein, and for other purposes.

The House of Representatives has also concurred in the amendment of the Senate to the bill to be entitled an act to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes therein mentioned; and I am further instructed to transmit this action of the House of Representatives to the Senate forthwith.

On motion of Mr. Stafford the Senate went into secret Executive Session.

The secret Session being dissolved the Senate returned to open session, when on motion the Senate adjourned until 3½ o'clock, P. M.

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AFTERNOON SESSION, 3½ O'CLOCK, - P. M.

The Senate met pursuant to adjournment.

Mr. Dyer, of the Committee on Enrollment, made the following report, to-wit :

The Committee on Enrollment report as enrolled and ready for the signature of the President, a bill to be entitled an act to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes therein mentioned.

Also a bill to be entitled an act to fix the salaries and compensation of certain officers therein mentioned, and for other purposes.



On motion of Mr. Hansell the rule was suspended and the following resolution taken up and read, to-wit:

*Resolved*, By the Senate, the House of Representatives concurring, that the General Assembly in joint Convention will convene in the hall of the House of Representatives at the hour of eleven o'clock, A. M., on Tuesday next, the 26th inst., for the purpose of electing a Comptroller General, a State Treasurer, and also a Secretary of State, for the ensuing two years.

On motion of Mr. Hansell said resolution was amended by striking out the words "Tuesday, the 26th," and inserting in lieu thereof the words "Thursday, the 28th."

The resolution as amended was adopted, and ordered to be transmitted forthwith to the House by the Secretary of the Senate.

The rule being suspended the following bill from the House of Representatives was taken up and read the second time, to-wit:

A bill to change the name of the county of Cass, and for other purposes.

The Senate took up as the report of the committee of the whole,

The bill to incorporate the Free Trade & Banking Company of Georgia, and for other purposes.

The Committee on Agriculture to whom the bill was referred reported as a substitute for the original bill a bill to incorporate the Direct Trade & Navigation Company of Georgia, and for other purposes, which substitute was received.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill amendatory of an act relative to continuances in certain cases therein named, approved the 9th day of February, 1854.

The Judiciary Committee to whom the bill was referred reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The rule being suspended on motion of Mr. Stafford the Senate took up the following resolution from the House which was read and adopted, to-wit:

*Resolved*, That a joint Committee of two members of the House of Representatives and one from the Senate be appointed to consider what alteration should be made in the Great Seal of the State, and that said Committee report by bill or otherwise.

The President of the Senate appointed Mr. Stafford on said Committee on the part of the Senate.

The Senate took up as the report of the committee of the whole,

A bill to authorize the Governor of this State to raise and equip — thousand of cavalry, and — thousand of infantry for the Military service of the State.

The Committee on the Military to whom the bill was referred reported as a substitute for the original bill a bill to amend an act entitled an act to provide for the public defence, and for other purposes, assented to December 18th, 1860.

Mr. Killen moved to amend the substitute by adding the following Section to come in before the repealing clause:

SEC. . *Be it further enacted by the authority aforesaid, That* for the accommodation, equipment and support of the forces now in the active service of the State, and such as may be called into service under the provisions of this and the above recited act (of which this act is amendatory) it shall be lawful for the Commander in Chief of the State and he is hereby authorized and required to appoint such Quartermasters, Commissaries and other staff officers as to him may be deemed necessary, and to commission them respectively with the same rank and grade as is provided by the laws of the Confederate States for the like officers in the army of the Confederate States, said appointees first complying with similar requirements to those required of the like appointees under said Confederate law as to giving bond and security, &c.— Which amendment was agreed to.

Mr. Vason moved to amend the substitute by adding at the end of the first Section of the bill “inclusive of the forces now in the field under the above recited act,” which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill to incorporate a bank in the city of Savannah to be called the Cotton Planters' Bank of the State of Georgia.

Mr. Killen offered the following amendments, to-wit:

The title to be as follows: An act to incorporate a bank to be called “The Bank of the Cotton Planters' Convention of the State of Georgia,” which was agreed to.

Also, to strike out in the first Section and insert in the proper place:

“The Bank of the Cotton Planters' Convention of the State of Georgia, to be located at the city of Savannah or such other place in said State as said corporation shall determine, and shall continue until the first day of January, eighteen hundred and eighty-three,” which amendment was agreed to.

Also, to insert in the first blank in the second Section, "first day of March, eighteen hundred and sixty-two," in the second blank of second Section, "annual installments," in the third blank of second Section, "twelve months," which amendment was agreed to.

Also, to insert in the first blank in the third Section "one hundred dollars," insert in second blank in the third Section, "three hundred thousand dollars," which amendment was agreed to.

Also, to insert in the first blank in the fourth Section, "The twelve months," in the second blank in the fourth Section, "sixty days," in the third blank in the fourth Section, "not less than eight nor more than twelve," which amendment was agreed to.

Also, to insert in the blank in the sixth Section, "two hundred," which amendment was agreed to.

Also, to insert in the blank in the seventh Section "fifty" which amendment was agreed to.

Also, to insert in the first blank in the eleventh Section, "one thousand" in the second blank in the eleventh Section "sixty," after the word Savannah in eleventh Section insert "or such other public Journal in this State as they may deem necessary," which amendment was agreed to.

Also to add:

SEC. 18TH. That said corporators may from time to time establish such branches or other agencies of said bank at such places in said State as the interest of said bank may seem to require, and again to abolish or discontinue the same at pleasure. The said stockholders nevertheless to be liable for the acts of said branches and agencies in the same manner and to the same extent as they would be as if done by the said principal bank, which amendment was agreed to.

Mr. Hill offered the following amendment which was agreed to, to-wit: Strike out the 17th Section of said Act and insert in lieu thereof the following, to-wit:

SEC. 17. And that the persons and property of the several stockholders of said bank of whatever kind, both real, personal and mixed shall be held and made liable for all the debts and liabilities of said bank.

On motion of Mr. Killen said bill was made the special order of the day for Friday next.

The following message was received from His Excellency the Governor by Mr. Waters his Secretary, to-wit:

*Mr. President:* The Governor has approved and signed the following Acts, to-wit:

An Act to authorize the City Council of Augusta to issue one hundred thousand dollars in Treasury notes, and for other purposes.



An Act to authorize Charles H. Johnson an administrator on the estate of George Dugan, late of Spalding county, to sell the lands of said estate on the first Tuesday in December next.

An Act to alter and amend an act entitled an act to change and alter the county lines between the counties of Dooly and Macon, assented to December 17th, 1860, and also to change the lines between the counties of Clayton and Fulton, and for other purposes.

The rule being suspended Mr. Lane introduced a resolution to appoint a joint Committee of the Senate and House of Representatives to examine into the business before the General Assembly and select such bills as are of the greatest public importance for the action of the General Assembly, and leaving the balance as the unfinished business of the Session. The Senate refused to take up the resolution.

The following bills were taken up, read the second time and referred to the Judiciary Committee, to-wit:

A bill to define the costs of Ordinaries and Clerks of the Superior Courts, in certain cases.

Also, a bill to declare certain offices vacant in certain cases, and provide for the filling of such vacancies.

The following bill was taken up, read the second time and referred to the Committee on Education, to-wit:

A bill to confer certain powers on the Inferior Courts of this State in relation to the receipt and disbursement of the Common School fund, and for other purposes.

The following bills were severally taken up, read the second time and referred to the committee of the whole:

A bill to define the duties of the Clerks of the Superior and Inferior Courts of this State, in certain cases.

Also, a bill to consolidate the offices of Clerk and Reporter of the Supreme Court of Georgia.

Also, a bill to repeal so much of the 12th Section of an act to carry into effect that part of the first Section of the Constitution which requires the establishment of a Supreme Court for the correction of errors, and to organize the same and to regulate the proceedings thereof.

Also, a bill to make efficient the volunteer organization of this State.

Also, a bill to amend the charter of the Cherokee Insurance & Banking Company, so as to reduce the capital stock of said bank; to release the same from extra taxes assessed against said bank, and for other purposes—which was ordered to be engrossed.

Also, a bill to authorize the connection of the Railroad of the Savannah, Albany & Gulf R. R. Co., and the Railroad of the Central & Banking Company of Georgia, by a track running through or around the city of Savannah.

Also, a bill to repeal an act to regulate the agencies of Foreign Insurance Companies, and to provide for the appointment of an Insurance Commissioner, assented to 12th December, 1859.

Also, a bill to incorporate the Georgia Telegraph Company.

Also, a bill to incorporate in the State of Georgia an Insurance company to be called "The Great Southern Insurance Company."

The following bill was taken up, read the second time and referred to the committee on the State of the Republic, to-wit:

A bill to provide the terms of citizenship, and residence in certain cases, and for other purposes.

The Senate then, on motion, went into Executive Session, and after remaining some time the Executive Session was dissolved, and the Senate resumed its regular business.

On motion the Senate adjourned until ten o'clock, tomorrow morning.

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WEDNESDAY, NOVEMBER 27TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Pinkerton.

The Senate took up as the report of the committee of the whole,

A bill to amend an act incorporating the Bank of Fulton.

The Committee on Banks to whom the bill was referred reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington:

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have passed the following bill, to-wit:

A bill to be entitled an act to authorize the Governor to draw money from the Treasury for the support of the State troops: and I am directed to transmit the same to the Senate forthwith.

They have, also, passed the following Senate bill, to-wit:

A bill to be entitled an act to allow the Tax Collectors of this State further time to settle with the Treasurer. I am directed forthwith to transmit the same to the Senate.



The rule being suspended on motion of Mr. Stafford the Senate took up and read for the first time A Bill from the House of Representatives, to authorize the Governor to draw money from the Treasury for support of the State troops.

The Senate took up as the report of the committee of the whole,

A bill to amend an act incorporating the North Western Bank of Georgia.

The Committee on Banks to whom the bill was referred reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to prescribe the term of office of the Judges of the Supreme Court of this State.

The report was agreed to, the bill was read the third time and passed.

The special order which was a bill to incorporate the Planters' Insurance, Trust & Loan Company was taken up, and on motion, ordered to lie on the table for the present.

The Senate took up as the report of the committee of the whole,

A bill to authorize Volunteers and other troops to vote at all elections, &c.

The Committee on Elections to whom this bill had been referred reported the same back to the Senate with an amendment, to-wit: After the word "State" in the first Section insert "except such elections as are not returnable to the Executive Department," and recommend that said bill as amended do pass.

Mr. Jamison offered the following amendment which was agreed to, to-wit:

Strike out in the last line of the second Section the words "one month," and insert in lieu thereof "fifteen days."

The report as amended was agreed, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill amendatory of an act for the election of Public Printer, and to regulate the printing to be required to be performed by the Legislature.

The Committee on Printing to whom the bill was referred reported it back with an amendment, requiring the lowest bidder before giving bond, to take an oath that he has not entered into any combination with any person or promised to give any person or persons any money, or the promise of it, to prevent them from underbidding him for the State Printing.



Mr. Bell offered the following amendment which was agreed to; *Provided*, The provisions of this Act shall not apply to the present Public Printer.

On motion the bill with amendments was indefinitely postponed.

The Senate took up as the report of the committee of the whole,

A bill to authorize the connection of the Railroad of the Savannah, Albany & Gulf Railroad Company and the Railroad of the Central Railroad & Banking Company of Georgia, by a track running through or around the city of Savannah.

The report was agreed to, the bill was read the third time and passed.

Mr. Dyer, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President an act to extend the time for Tax Collectors in this State to make their settlements with the State Treasurer.

The Senate took up as the report of the committee of the whole,

A bill to incorporate in the State of Georgia an Insurance Company to be called "The Great Southern Insurance Company."

Mr. Gibson offered the following amendment which was agreed to, to-wit: Add to names of incorporators from Augusta, Wm. J. Owens, Robert J. May, Jesse A. Ansley and Wm. A. Ramsay.

Mr. Beasley offered the following amendment which was agreed to, to-wit: "Provided, that said Corporation shall not issue policies exceeding the capital stock subscribed."

Mr. Boyd offered the following amendment which was agreed to, to-wit:

Sec. . *And be it further enacted*, That the persons and property, both real and personal, of each and every stockholder of said Company shall be liable for the payment of the debts and liabilities of said Company in proportion to the amount of stock owned by each which may be recovered against him, her or them in any Court of law or equity having jurisdiction.

Mr. Seward offered the following amendment, which was agreed to, to-wit: To limit the rate of interest upon loans of money to seven per cent. per annum.

Mr. Seward offered the following amendment, to-wit:

*Provided*, That said corporation shall hold no more real or personal estate than may be necessary for business purposes.

To which amendment Mr. Hansell offered the following amendment:

Or such as they may *bona fide* acquire in the settlement or adjustment of policies, or in the collection of debts due them.

Both the amendment to the amendment, and the amendment were lost.

On motion of Mr. Brown the bill was laid upon the table for the present.

The following bills were severally taken up and postponed indefinitely:

A bill to repeal so much of the 12th Section of an act to carry into effect that part of the 1st Section of the Constitution which requires the establishment of a Supreme Court for the correction of errors, and to organize the same, and to regulate the proceedings thereof.

Also, a bill to consolidate the offices of Clerk and Reporter of the Supreme Court of Georgia.

Also, a bill to carry into effect the 4th clause of the 1st Section of the 3d Article of the Constitution of this State.

A bill to define the duties of the Clerks of the Superior and Inferior Courts of this State, in certain cases, was referred to the Judiciary Committee.

The Senate took up as the report of the committee of the whole,

A bill to incorporate the Georgia Telegraph Company.

The report was agreed to, the bill was read the third time and passed.

Mr. Seward, chairman of the Judiciary Committee, made the following report:

A bill to define the cost of Ordinaries and Clerks of the Superior Courts in certain cases: Having had the same under consideration, report the same back to the Senate and recommend it do pass with an amendment.

Also, a bill to declare certain offices vacant, in certain cases, and to provide for filling such vacancies, report the same back to the Senate and recommend it do pass, with an amendment.

Also, a bill amendatory of an act to incorporate the Dalton City Company, approved February 23d, 1850, and to add an additional Section thereto, and for other purposes, report the same back to the Senate with a substitute for the original bill, and recommend it do pass.

The rule being suspended on motion of Mr. Seward the report of the Judiciary Committee was taken up.

The Senate took up as the report of the committee of the whole,

A bill to define the cost of Ordinaries and Clerks of the Superior Courts, in certain cases, and for other purposes.

The Judiciary Committee to whom this bill was referred reported it back with the following amendments:

Proposing \$100, instead of \$150, in the 8th line of 1st Section; and \$1.00 instead of 50 cents, in the tenth line; and 50 cents instead of \$1.00, in the eleventh line, of said



Section; and by \$3,00 instead of \$5,00 in the fifth line, of the second Section; and by adding the following to the first Section, to-wit: "For every order granted by said Court \$1,00."

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to declare certain offices in this State vacant, and to provide for filling such vacancies.

The Judiciary Committee to whom this bill had been referred reported the same back to the Senate with an amendment, with the recommendation that the same do pass.

Mr. Mitchell offered the following amendment which was agreed to, to-wit: Except in such cases as by law he may be entitled to appoint a Deputy.

Mr. Moseley offered the following amendment which was agreed to, to-wit: To add to the caption from and after the first day of January next.

Mr. Stafford made a motion to lay the bill on the table for the balance of the Session, which was lost.

Mr. Lewis offered the following amendment in the nature of a substitute for the original bill and amendments, which was agreed to, to-wit:

A bill to be entitled an act to declare the office of Ordinary vacant in certain cases.

SECTION 1. *The General Assembly do enact.* That from and after the first day of January next, the office of Ordinary shall be declared and considered vacant when the incumbent of that office is in the military service of this State, or of the Confederate States.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to amend an act to amend the charter of the Dalton City Company, &c.

The Judiciary Committee to whom this bill had been referred, reported the same back to the Senate with an amendment in the nature of a substitute, to-wit:

A bill to be entitled an act to amend the Charter of the Dalton City Company, approved 23d February, 1850, with the recommendation that the same as amended do pass.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill fixing the fees of the Ordinaries of the State.

The Judiciary Committee to whom the said bill had been



referred, reported the same back to the Senate with the recommendation that it do not pass.

The report was agreed to, and the bill was lost.

On motion of Mr. Boyd the rule was suspended, and the following bill was taken up, read the second time and referred to the Committee on Finance, to-wit:

A bill for the reduction of the salaries of the officers of the Western and Atlantic Railroad.

The Senate took up as the report of the committee of the whole the following engrossed bill, which on motion was laid upon the table for the present, to-wit:

A bill to amend the charter of the Cherokee Insurance and Banking Company, so as to reduce the capital stock of said bank—to release the same from extra taxes assessed against the said bank, and for other purposes.

The Senate took up as the report of the committee of the whole,

A bill to make efficient the volunteer organizations of this State.

The Committee on the Military to whom this bill had been referred reported the same back to the Senate, with the recommendation that it do pass.

Mr. Hansell offered the following amendment which was agreed to, to-wit: After the word "member" insert the words "over eighteen years of age."

Mr. Seward offered the following amendment which was agreed to, to-wit:

*Provided*, That this act shall not apply to persons who may become diseased or infirm, or who may suffer from family afflictions or losses by death, and which in the discretion of the commanding officer may constitute a reasonable excuse.

Mr. Vason offered the following amendment to the amendment, which was lost: Or be satisfied his association therewith is unprofitable to the country.

Mr. Mitchell offered the following amendment which was agreed to, to-wit:

*Provided*, This act shall cease after the expiration of the present war.

The report as amended was agreed to. Upon the question shall this bill pass the yeas and nays were recorded and were yeas 16, nays 25.

Those who voted in the affirmative are—Messrs:

Bothwell, Brown, Dyer, Fletcher, Fort, Gaston, Gordon, Hansell, Thos. Hilliard, Jackson, Killen, King, Moseley, Seward, Shewmake, Smith, Winn.

Those who voted in the negative are—Messrs.:

Alexander, Beasley, Bell, Boyd, Echols, Furlow, Gibson.

Griffin, Harris, Hill, James Hilliard, Jamison, Kendall, Lane, Lewis, McRae, Mitchell, Hatrick, Simmons, Stafford, Stephens, Swearingen, Vason, Ware, Wright.

So the bill was lost.

On motion the Senate adjourned until to-morrow morning, ten o'clock.

THURSDAY, NOVEMBER, 28TH 1861. }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Pinkerton.

Mr. Brown moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate upon a bill to incorporate, in the State of Georgia, an Insurance Company to be called, The Great Southern Insurance Company.

The motion to reconsider prevailed.

Mr. Killen moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to make efficient the volunteer organization of this State, was lost.

The motion prevailed, and the bill recommitted to the Military Committee.

Leave of absence was granted to Mr. Swearingen, for a few days.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit :

*Mr. President* :—I am directed by the House of Representatives to inform the Senate that the House of Representatives have concurred in the Senate resolution, to bring on the election of Comptroller General, Treasurer, and Secretary of State at the hour of eleven o'clock A. M., on Thursday 28th instant.

And that they have concurred in the Senate amendment, to the House bill entitled an act to authorize the Justices of the Inferior Courts of the several counties of this State, from time to time, in their discretion, to levy such extra taxes as they may deem necessary to equip volunteer or other soldiers from their respective counties, and to provide for the indigent families of soldiers ; to authorize the collection of the same, and to legalize their previous action in the premises, and for other purposes.

For a bill of the Senate to be entitled an act to re-enact the Stay laws so far as relates to the stay of judgments and executions ; the House have agreed to the following substi-

tute: which is, "an act for the relief of the banks in this State, and for other purposes; which substitute the House have passed.

The House have also passed the following bill to wit:

A bill to be entitled "an act" to grant relief to the People of Georgia by staying the enforcement of executions against the persons and property of the citizens of this State, until the first day of December, 1862, and for other purposes.

All of which, action by the House of Representatives, I am directed, forthwith, to transmit to the Senate.

The House of Representatives has also passed the following bill of the Senate, to-wit:

A bill to be entitled an act to consolidate the offices of Tax Receivers and Collectors, and to require the duties thereof to be performed by one officer, to be styled Tax Receiver and Collector.

The rule being suspended, on motion of Mr. Seward, the following bill from the House of Representatives was read the first time:

A bill to grant relief to the people of Georgia, by staying the enforcement of executions against the persons and property of the citizens of this State, until the first day of December, 1862, and for other purposes.

The rule being suspended, on motion of Mr. Hansell, the following bill from the House of Representatives was read the second time:

A bill to authorize the Governor to draw money from the Treasury for the support of the State troops.

Mr. Dyer, Chairman of the committee on Enrollment, reports as duly enrolled and ready for the signature of the President:

An Act to authorize the Justices of the Inferior Courts of the several counties of this State, from time to time, in their discretion, to levy such extra taxes as they may deem necessary to equip volunteer or other soldiers from their respective counties, and to provide for the indigent families of soldiers; to authorize the collection of the same, and to legalize their previous action in the premises, and for other purposes.

The committee on Finance, through their Chairman, Mr. Lewis. made the following report:

The committee on Finance have had under consideration the "correspondence between His Excellency the Governor and the Banks, as to the sale of State bonds," and have instructed me to report a bill in accordance with the suggestions of the Governor, to be entitled "An Act for relief of the several banks of this State which have made advances



to the State upon bonds or other contracts, and for other purposes" ; and to recommend its passage.

The rule being suspended, on motion of Mr. Lewis, the bill above stated was taken up and read the first time.

The committee on Finance, through Mr. Lewis, their Chairman, made the following report :

The committee on Finance in joint session with the like committee of the House of Representatives, have considered the bill referred to them, to be entitled an act to assume and pay into Confederate States of America the taxes assessed or to be assessed against the citizens of Georgia, under an act of the said Confederate States, usually called the Confederate War Tax act passed on the      day of 1861 ; and said joint committee have agreed upon a substitute for said Senate bill, and instructed the Chairman of the House Committee, to report said substitute to the House of Representatives, with a recommendation that it pass.

The rule being suspended, on motion of Mr. Mitchell, the Senate took up and read the second time, a bill to authorize the Justices of the Inferior Court to issue bonds and borrow money in certain cases.

The rule being suspended, the Senate took up for a third reading an engrossed bill to amend the charter of the Cherokee Insurance & Banking Company, so as to reduce the capital stock of said bank, to release the same from extra tax assessed against the said bank, and for other purposes.

On motion of Mr. Jackson, the bill was recommitted.

Mr. Jackson offered the following amendment, to come in before the repealing clause :

*Provided*, That the said stockholders pay into the Treasury of this State the balance of the amount returned as due from said bank, which amount is one hundred and thirty-five dollars and thirteen cents.

Mr. Mitchell offered the following amendment :

*Provided*, That none of the provisions of this act shall be so construed as in any manner to interfere with the rights of the Confederate Government under the Sequestration Act.

The bill with the amendments, on motion of Mr. Hansell, was referred to the committee on banks.

Mr. Vason, the rule being suspended, reported a bill to make penal acts of engrossing or monopolizing, and for other purposes, &c. ; which was read the first time.

Mr. Vason moved to suspend the rule, and refer the same to the Judiciary committee ; which motion was lost.

Mr. Dyer, from the committee on enrollment, reported as duly enrolled and ready for signature, a resolution in rela-

tion to the election of Secretary of State, Comptroller General and Treasurer.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit :

*Mr. President:*—The House of Representatives have passed the following bill, to-wit :

A bill to be entitled an act to legalize the proceedings of the Southern Stockholders of the Brunswick & Florida Railroad Company ; to change the name of said Company, and to amend the act of incorporation, to extend the charter thereof, and to facilitate the building thereof.

On motion of Mr. Jackson, the Senate took up the following bills from the House of Representatives, which were severally read the second time :

A bill to legalize the adjournment of certain Superior Courts in the Northern Circuit.

Also, a bill to authorize the Ordinary of DeKalb county, to grant letters of Administration on the estate of Thomas Chivers, deceased, of said county.

The following bills from the House of Representatives were severally read the first time :

A bill to aid the Georgia Relief and Hospital Association, and to appropriate money therefor.

Also, a bill to appropriate money for the support of the Georgia Academy for the Blind.

Also, a bill to legalize the proceedings of the Southern Stockholders of the Brunswick and Florida Railroad Company, to change the name of said Company, and to amend the act of incorporation, to extend the charter thereof, and to facilitate the building thereof.

Also, a bill to repeal the fourteenth section of an act entitled an act to incorporate the town of Valdosta, in the county of Lowndes, and for other purposes therein mentioned.

Also, a bill to incorporate the town of Bellville in the county of Richmond, to provide for the election of officers, &c.

Also, a bill to amend an act, approved December 17th, 1859, entitled an act to prescribe the time of holding elections for Senators in the Congress of the United States from the State of Georgia.

Also, a bill to alter and amend an act entitled an act to incorporate the town of Jonesboro, in the county of Clayton, to provide for the election of Marshals and Clerks, &c.

Also, a bill to give to the several Justices' Courts of this State, jurisdiction in cases sounding in damages in certain cases.

Also, a bill to incorporate the Cavendors' Creek & Fields Gold Mining Company, and for other purposes therein mentioned.

The following bill was read the second time :

A bill to settle conflicts of the Code of this State with the acts of the General Assembly, and for other purposes.

The Senate took up as the report of the committee of the whole,

A bill to repeal an act to regulate the agencies of Foreign Insurance Companies, and to provide for the appointment of an Insurance Commissioner, assented the 12th of December, 1859.

Mr. Gordon offered the following amendment, which was agreed to :

*Provided*, That the provisions of this act shall not extend to the Insurance Companies located within the United States of America.

The report as amended was agreed to ; the bill was read the third time and passed.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President* :—The House of Representatives have passed by the Constitutional majority, over the veto of His Excellency Governor Joseph E. Brown, the following Act, to-wit :

An Act to fix the salaries and compensation of certain officers mentioned therein, and for other purposes ; and I am directed to transmit the same to the Senate forthwith.

On motion of Mr. Seward, the Senate took up the message from the House of Representatives in relation to a bill to fix the salaries and compensation of certain officers mentioned therein, and for other purposes ; which bill was passed by the General Assembly, vetoed by the Governor, and passed by the House of Representatives, over the Governor's veto. by a Constitutional majority.

Mr. Gordon moved to postpone further action upon the bill, to the day before adjournment of the General Assembly.

Mr. Hausell proposed a postponement to Friday the 6th proximo, which was accepted by Mr. Gordon.

The motion to postpone was lost.

The bill was taken up, and upon the question, shall this Act pass by a Constitutional majority over the veto of His Excellency the Governor, the yeas and nays were recorded, and the yeas were 31 and the nays 10.

Those who voted in the affirmative were :

Messrs. Alexander, Anthony, Beaseley, Bell, Boyd, Ech-



ols, Fletcher, Fort, Furlow, Gaston, Griffin, Harris, Hill, James Hilliard, Thomas Hilliard, Kendall, Killen, Lane, McRae, Mitchell, Moseley, Patrick, Seward, Shewmake, Simmons, Smith, Stephens, Swearingen, Ware, Winn, Wright.

Those who voted in the negative are :

Messrs. Brown, Dyer, Gordon, Hansell, Jackson, Jamison, King, Lewis, Stafford, Vason.

Yeas 31 ; Nays 10. So the bill was passed by a Constitutional Majority.

The Senate then adjourned till three and a half o'clock this evening.

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AFTERNOON SESSION, 3½ O'CLOCK P. M.

The Senate met according to adjournment.

On motion of Mr. Hansell, the action of the Senate upon the bill to fix the salaries and compensation of certain officers mentioned therein, and for other purposes, was ordered to be transmitted forthwith to the House of Representatives.

The following Message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr President* :—I am instructed by the House of Representatives to inform the Senate, that they are now ready to receive them in their Hall for the purpose of electing a Secretary of State, a Comptroller General and State Treasurer.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President* :—I am directed by the House of Representatives to inform the Senate, that they have passed the following bill, to-wit :

A bill to be entitled an act for the relief of Mrs. Margaret Dillon, Administratrix of the estate of Michael Dillon, all of Chatham county ; and I am directed to transmit the same forthwith to the Senate.

On motion of Mr. Gordon the Senate repaired to the Representative Hall, and after being seated, the General Assembly proceeded to the election of Comptroller General.

Upon the call of the roll, the Senators who voted for Peterson Thyeatt were :

Messrs. Alexander, Anthony, Beasley, Bell, Billups, Boyd, Brown, Dyer, Fletcher, Fort, Furlow, Gaston, Gordon, Griffin, Hansell, Harris, Hill, James Hilliard, Thomas Hilliard, Jackson, Jamison, Kendall, Killen, King, Lane, Lewis, McRae, Mitchell, Moseley, Patrick, Seward, Shewmake, Simmons, Smith, Stafford, Stephens, Swearingen, Vason, Ware, Winn, Wright.

On the voting for a Comptroller General, including the vote of the House of Representatives, Peterson Thweatt received 108 votes. This being a majority of the members composing the General Assembly, on motion, the call of the roll was suspended, and Peterson Thweatt declared duly elected.

The General Assembly then proceeded to elect a State Treasurer.

Upon a call of the roll, the Senators who voted for Mr. Jones, were :

Messrs. Alexander, Beaseley, Boyd, Brown, Dyer, Echols, Fletcher, Fort, Furlow, Gaston, Gordon, Hansell, Harris, Hill, Thomas Hilliard, Jackson, Jamison, Kendall, Killen, King, Lewis, Mitchell, Moseley, Patrick, Seward Shewmake, Simmons, Smith, Stafford, Swearingen, Ware, Winn, Wright.

Those who voted for Mr. Kiddo, were :

Messrs. Anthony, Bell, Billups, Griffin, James Hilliard, Lane, McRae, Stephens, Vason.

On the voting for State Treasurer, including the vote of the Senate and House of Representatives, Mr. Kiddo received 31 votes, and Mr. Jones received 119 votes. This being a majority of the members of the General Assembly, on motion, the call of the roll, was suspended, and Mr. Jones declared duly elected.

The General Assembly then proceeded to the election of Secretary of State.

#### 1ST VOTING FOR SECRETARY OF STATE.

Those who voted for Mr. Quillen were :

Messrs. Alexander, Beaseley, Billups, Boyd, Hansell, Jackson, Jamison, Seward, Simmons, Stephens.

Those who voted for Mr. Wellborn, were :

Messrs. Dyer, Gaston, Hill, Patrick.

Those who voted for Mr. Barnett, were :

Messrs. Griffin, Harris, Jas. Hilliard, Lane, Lewis, McRae, Mitchell, Moseley, Shewmake, Ware.

Those who voted for Mr. Williams were :

Messrs. Anthony, Bell, Echols, Kendall, Killen.

Those who voted for Mr. Hammond, were :

Messrs. Brown, Fletcher, Fort, Furlow, Gordon, Thos.

Hilliard, King, Smith, Stafford, Swearingen, Vason, Winn, Wright.

The result of the first voting for Secretary of State, including the vote of the Senate and House of Representatives, was as follows :

B. B. Quillian received.....	42	votes.
N. C. Barnett       “.....	39	“
C. D. Hammond     “.....	42	“
W. A. Williams    “.....	25	“
C. J. Wellborn     “.....	48	“
	<hr/> 196	

Necessary to a choice, 99.

There being no election, the General Assembly proceeded to a second voting.

#### 2D VOTING FOR SECRETARY OF STATE.

Upon a call of the roll, the Senators who voted for Mr. Barnett, were :

Messrs. Alexander, Bell, Billups, Echols, James Hilliard, Thos. Hilliard, Jamison, Kendall, Lane, Lewis, McRae, Mitchell, Moseley, Shewmake, Stephens, Ware.

For Mr. Wellborn :

Messrs. Beaseley, Boyd, Gaston, Harris, Hill, Jackson, Killen, Patrick, Seward, Simmons.

For Mr. Hammond :

Messrs. Anthony, Brown, Dyer, Fletcher, Fort, Furlow, Gordon, Griffin, Hansell, King, Smith, Stafford, Swearingen, Vason, Winn, Wright.

The result of the second voting of the General Assembly was as follows:

Mr. Barnett received.....	63	votes.
Mr. Wellborn       “.....	78	“
Mr. Hammond     “.....	55	“
	<hr/> 196	

Necessary to a choice, 99.

There being no election, the General Assembly proceeded to a third voting for Secretary of State.

#### 3D VOTING FOR SECRETARY OF STATE.

Upon a call of the roll, the Senators who voted for Mr. Barnett, were :

Messrs. Alexander, Anthony, Bell, Billups, Echols, Fletcher, James Hilliard, Jamison, Lane, Lewis, McRae, Mitchell, Moseley, Shewmake, Ware.



For Mr. Wellborn :

Messrs. Beaseley, Boyd, Gaston, Harris, Hill, Jackson, Kendall, Killen, Patrick, Seward, Simmons, Stephens, Winn.

For Mr. Hammond :

Messrs. Brown, Dyer, Fort, Furlow, Gordon, Griffin, Hansell, Thos. Hilliard, King, Smith, Stafford, Swearingen, Vason, Wright.

The result of the third voting of the General Assembly was as follows :

Mr. Barnett received.....	71	votes.
Mr. Wellborn     "     .....	79	"
Mr. Hammond     "     .....	46	"
	<hr/>	
	196	

Necessary to a choice, 99.

There being no election, the General Assembly proceeded to a fourth voting.

#### 4TH VOTING FOR SECRETARY OF STATE.

Upon the call of the roll, the Senators who voted for Mr. Barnett, were:

Messrs. Alexander, Anthony, Brown, Echols, Fletcher, Furlow, Griffin, Jas. Hilliard, Jamison, King, Lane, Lewis, McRae, Mitchell, Moseley, Shewmake, Stephens, Swearingen, Vason, Ware, Wright.

For Mr. Wellborn :

Messrs. Beaseley, Boyd, Gaston, Gordon, Hansell, Harris, Hill, Thos. Hilliard, Jackson, Kendall, Killen, Patrick, Seward, Simmons, Winn.

For Mr. Hammond :

Messrs. Dyer, Fort, Smith, Stafford.

The result of the fourth voting of the General Assembly was as follows :

Mr. Barnett received.....	100	votes.
Mr. Wellborn     "     .....	93	"
Mr. Hammonnd     "     .....	4	"
	<hr/>	
	197	

Nathan C. Barnett having received a majority of the votes given, was declared by the President of the Senate, duly elected Secretary of State for the ensuing two years.

The Senate returned to the Senate Chamber, and on motion of Mr. Ware, adjourned until 10 o'clock to-morrow morning.

FRIDAY, NOVEMBER 29TH, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

Leave of absence was granted to Mr. Patrick for the balance of the Session on account of indisposition.

The Senate took up the special order which was a bill to incorporate the Bank of the Cotton Planters' Convention of the State of Georgia.

Pending the consideration of the bill the following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have passed the following bill, to-wit:

A bill to be entitled an act to authorize Owen C. Pope, junior, a minor, of the county of Washington, to probate and qualify as Executor of the last will and testament of Owen C. Pope, senior, late of said county deceased, and I am directed to transmit the same forthwith to the Senate.

The Senate resumed the consideration of the special order—the bill being re-committed to the committee of the whole was read and acted upon by sections:

Mr. Killen offered the following amendment to the second section of said bill, which was agreed to:

Fill blank occurring in the 26th line after the words, "the lapse of" with the words "six months."

Also the following amendment to the third section, which was agreed to:

After the words "in specie" in the 4th line insert the words "or bonds of the Confederate States or of the State of Georgia."

Also the following amendment to the sixth section which was agreed to:

Strike out the word "two" where it occurs in the fifth line immediately after the words "more than" and insert in lieu thereof the word "one."

Mr. Vason offered the following amendment to the tenth section of said bill which was accepted:

Add "paid in" and the amount of bonds of the Confederate States or of the State of Georgia it may have on hand.

Mr. Gordon offered the following amendment to the fourteenth section of said bill, which was accepted:

Strike out the words "said original bank or any of its branches," and insert in lieu thereof "The bank or branches making such demand."

Mr. Killen offered the following amendment to the fifteenth section, which was agreed to:

After the words "in specie" in the last line of said section, add "or bonds of the Confederate States or the State of Georgia."

Also the following amendment which was agreed to:

*Provided*, No dividend shall be declared for a greater amount than ten per cent per annum during its suspension.

On motion the bill was recommitted to the committee on Banks.

Mr. Dyer, chairman of the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President:

An Act to consolidate the offices of Receiver of Tax Returns and of Tax Collectors in this State, and to require the duties thereof to be discharged by one officer to be styled Tax Receiver and Collector.

The rule being suspended Mr. Swearingen reported the following bill which was read the first time:

A bill to be entitled an act for the relief of B. Henri R. Davenport of the county of Chatham.

The rule being suspended Mr. Simmons reported the following bill which was read the first time:

A bill to be entitled an act to require one-half of the fines, and forfeitures imposed by the Judges of the Superior Courts of the counties of Fannin, Gilmer and Pickens upon criminal prosecutions to be paid over to the county Treasurer of said counties for county purposes, and for other purposes.

On motion the Senate adjourned till 3½ o'clock, this evening.

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3½ O'CLOCK, P. M.

The Senate met according to adjournment.

The Senate took up as the report of the committee of the whole,

A bill to incorporate the Planters' Insurance, Trust & Loan Company, which was laid upon the table for the present.

The rule being suspended the Senate took up as the report of the committee of the whole,

A bill to authorize the Justices of the Inferior Court to issue bonds and borrow money in certain cases.

Mr. Shewmake moved to amend by adding "and for any other county purposes, (so far as relates to the county of



Burke) as the Grand Jury of said county of Burke may from time to time recommend, which was accepted.

Mr. Seward moved to amend by adding :

*Provided*, This act shall not apply to the county of Thomas.

Which amendment was amended by adding by Senators the counties of Fannin, Gilmer and Pickens; Lowndes, Berrien and Echols; Gordon, Butts, Spalding, Fayette, Whitfield, Murray, Wilkes, Columbia, Lincoln and Johnson, which amendments were accepted.

Mr. Lane offered the following amendment, which was lost :

*Be it further enacted*, That the several citizens of said counties who have voluntarily contributed of their private means to the equipping and furnishing the several volunteer companies already gone into the service of the Confederate States or of this State, be allowed to make affidavit before any officer who may be authorized to administer oaths, of the amount or amounts which they, or each of them may have so contributed as aforesaid, and that the said contributors be allowed as a credit the several sums so contributed in payment of their taxes for county purposes in said counties as aforesaid. That said Inferior Court shall have power to assess the compensation of such Tax Collectors for collecting said fund.

Mr. Boyd offered the following amendment :

*Provided*, That no bonds shall be issued, money borrowed or any liabilities incurred by the Inferior Court of any county in this State without the recommendation of a majority of the Grand Jury at any term of the Superior Court.

Which was lost.

Mr. Swearingen moved to amend by making the bill applicable only to the counties of Floyd, Cass, Chattahoochee, Decatur and Cobb, which was agreed to.

Mr. Hansell offered the following amendment :

*Provided*, That in no case shall any claim be ever made to or against the State of Georgia for any portion of such sum or sums of money so raised.

Which was agreed to.

On motion the bill was laid upon the table for the balance of the Session.

Mr. Killen, from the Military Committee, made the following report :

The Military Committee to whom was re-committed the bill to be entitled an act to make efficient the volunteer organization of the State, have had the same under considera-

tion and direct me to report the same back with the following amendments, and recommend that the same do pass :

Add to the first section :

*Provided*, That this shall not apply to any company hereafter to be organized until the organization shall be completed by the election of their officers.

2d. Strike out all of the second section after the ninth line.

The Senate took up as the report of the committee of the whole,

A bill to make efficient the volunteer organization of this State.

The Military Committee to whom the bill was referred reported in favor of its passage with amendments.

The amendments were agreed to.

Mr. Harris moved to amend the report by adding the following section :

*And be it further enacted*, That it shall not be lawful for any individual or individuals in this State (unless he shall have received a thorough military education at some military institution in this State or elsewhere,) to raise and organize or attempt to raise and organize any volunteer company for service in this State or the Confederate States, until he or they shall have first applied for and obtained permission of the Governor of this State so to do, upon the recommendation of the Inferior Court of the county in which he or they shall reside, or a majority thereof, and three or more of such other citizens of the said county as said Court or a majority may select, that he or they are qualified for such service ; and the Governor shall then grant to such applicant or applicants such permission as in his discretion may most conduce to the interest of the public service—with permission and authority to receive all able bodied men from any of the counties in this State into their said companies, as hereinbefore provided.

Which amendment was lost.

Mr. Shewmake offered the following amendment :

*And be it further enacted*, That the provisions of this act shall apply only to persons whose names have been returned to the Adjutant General of this State, as ready to be ordered into State or Confederate States service by their consent. Which was lost.

Mr. Wright offered the following amendment :

*And be it further enacted*, That after any volunteer company shall have organized by the election of its officers, any member who shall withdraw from or resign out of said company without the consent of two thirds of said company shall pay a fine of fifty dollars to be collected from such withdrawing member by an execution to be issued by the

Captain of said company. When collected said fines are to be paid over to the Treasurer of said company, for the benefit of said company ; which amendment was lost.

The report as amended was agreed to, and upon the passage of the bill the yeas and nays were recorded, and the yeas were 30, nays 8.

Those who voted in the affirmative were—Messrs.:

Anthony, Beasley, Bell, Boyd, Brown, Dyer, Fletcher, Fort, Furlow, Gaston, Gibson, Gordon, Hansell, Harris, Hill, James Hilliard, Thos. Hilliard, Jackson, Jamison, Killen, King, Lewis, Mitchell, Mosley, Seward, Shewmake, Smith, Stephens, Winn, Wright.

Those who voted in the negative were—Messrs.:

Alexander, Griffin, Kendall, Lane, McRae, Simmons, Vason, Ware.

So the bill was passed.

The following message was received from His Excellency the Governor by Mr. Waters his Secretary, to-wit :

*Mr. President* : I am directed by His Excellency the Governor to deliver to the Senate a communication in writing.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill from the House of Representatives to authorize the Governor to draw money from the Treasury for support of the State troops.

The report was agreed to, the bill was read the third time and passed, and ordered to be transmitted forthwith to the House of Representatives.

The rule being suspended Mr. Killen offered the following resolution which on motion was taken up, read and adopted :

*Resolved*, By the Senate and House of Representatives of Georgia in General Assembly, That the Governor of said State be and he is hereby authorized and requested to tender to the Confederate States Government the volunteer forces called into service under the law of 1860, or which may hereafter be called into service for the State defence in companies, battalions, regiments, brigades, or divisions as may be found to be acceptable to the War Department.

Mr. Gordon, chairman of the Committee on Banks, made the following report :

The Committee on Banks to whom was referred a bill to be entitled an act to amend the charter of the Cherokee Insurance & Banking Company have had the same under consideration and present certain amendments, and recommend that the same as amended do pass.



The following are the amendments reported by said Committee:

1st. Add to Section 1st. the following proviso:

*Provided*, That said company shall not commence or do any business until twenty-five per cent of their capital stock shall have been paid in, in specie.

2d. Add the following section:

*And be it further enacted*, That the total amount of the debts which the said bank shall at any time owe, whether by bond, bill, note, or other contract, shall not exceed three times the amount of stock actually paid in.

3d. Add to the repealing clause:

*Provided*, That none of the provisions of this act shall be so construed as in any manner to interfere with the rights of the Confederate States under the Sequestration act.

On motion of Mr. Jackson the rule was suspended and the report of said Committee taken up.

The report as amended was agreed to. The bill was read the third time and passed.

On motion the following communication from His Excellency the Governor was taken up and read:

EXECUTIVE DEPARTMENT, }  
Milledgeville, Ga., November 29, 1861. }

*To the Senate:*

A vacancy exists in the office of Attorney General of this State, and I hereby nominate and propose by and with the advice and consent of the Senate to appoint W. W. Montgomery, of the county of Richmond, to fill the vacancy.

A vacancy exists in the office of Judge of the Superior Court of the Macon Circuit, and I hereby nominate and propose by and with the advice and consent of the Senate the appointment of the Hon. Osborn A. Lochrane to fill the vacancy.

A vacancy will occur by the expiration of the term of the present incumbent in the office of Judge of the Superior Court of the Blue Ridge Circuit within the ensuing year, and I hereby nominate and propose by and with the advice and consent of the Senate to appoint Hon. George D. Rice to fill the vacancy.

A vacancy will occur by the expiration of the term of the present incumbent in the office of Judge of the Superior Court of the Western Circuit, within the ensuing year, and I hereby nominate and propose by and with the advice and consent of the Senate to appoint Hon. Nathan L. Hutchins to fill the vacancy.

A vacancy will occur in the office of Judge of the Superior Court of the Chattahoochee Circuit by expiration of the term of the present incumbent within the ensuing year, and

I hereby nominate and propose by and with the advice and consent of the Senate to appoint Hon. Edmond H. Worrill to fill the vacancy.

A vacancy will occur in the office of Judge of the Supreme Court by the expiration of the term of the Hon. Charles J. Jenkins, within the ensuing year, and I hereby nominate and propose by and with the advice and consent of the Senate to appoint Hon. Charles J. Jenkins to fill the vacancy.

JOSEPH E. BROWN:

Leave of absence was granted Mr. Furlow for a few days on account of sickness in his family.

Leave of absence was also granted to Mr. Seward for a few days.

The rule being suspended on motion of Mr. Gordon the following bill from the House of Representatives was read the first time:

A bill to authorize Owen C. Pope, a minor, of the county of Washington, to probate and qualify as Executor of the last will and testament of Owen C. Pope, senior.

The Senate then adjourned until to-morrow morning, 10 o'clock.

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SATURDAY, NOVEMBER 30TH, 1861. }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Talmage.

Mr. Hansell moved to reconsider the Journals of yesterday so far as relates to the vote of the Senate laying the following bill upon the table for the balance of the session:

A bill to authorize the Justices of the Inferior Courts to issue bonds and borrow money in certain cases; which motion prevailed.

Mr. Hansell also moved, to reconsider so much of the Journals of yesterday as relates to the vote passing a resolution tendering troops raised and to be raised in this State, to the Confederate States Government; which motion prevailed.

On motion, leave of absence was granted to the Senator from the 24th district (Mr. Brown) for a few days, after to-day.

Also, to the Door Keeper of the Senate.

Also, to Mr. Shewmake of the 17th district.

The rule being suspended, on motion of Mr. Lewis, the Senate took up the message of the House of Representa-



tives reporting back to the Senate the following bill with an amendment in the nature of a substitute, to-wit :

A bill to re-enact the Stay Laws so far as relates to the stay of judgments and executions, with a request that the Senate concur therein.

On motion of Mr. Lewis, the Senate refused to concur in the amendment, and the Secretary of the Senate ordered to transmit the same forthwith to the House of Representatives.

Mr. Dyer, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President,

An act to authorize the Governor to draw money from the Treasury for the support of the State troops.

The committee on "the state of the Republic," through their chairman, Mr. Gordon, made the following report :

The committee on "the state of the Republic," to whom was referred a bill to be entitled an act to prescribe the terms of citizenship and residence in certain cases, and for other purposes, have had the same under consideration and report it back to the Senate with certain amendments, and recommend that it do pass.

The following are the amendments reported by said committee :

Add to 1st section ; *Provided*, that this shall not apply to any person who has left on business of the Confederate States or either of them, or who has left by permission of any constituted State or municipal authority with the intention of returning.

Substitute for 2d section ; "That a specific tax of twenty per cent. shall be hereafter levied upon the property of any citizen of the United States, who shall hereafter immigrate to this State, in the event such person shall propose to remove from the State ; and it is hereby made the duty of the Tax Collector to attach for the amount of each tax, the property of any such person, upon suspicion, that he intends to remove, which, said attachment shall be tried, upon issue made, as in all other cases of attachment."

Substitute for 3d section ; "That no person now a citizen or resident, of the United States, shall be hereafter permitted to become a citizen of Georgia, without first taking an oath that he will uphold, maintain, and defend the institution of African slavery, in tact, forever, so help him God."

On motion of Mr. Gordon the rule was suspended, and the Senate took up as the report of the committee of the whole, the said bill so reported as above stated.

Mr. Bell offered the following amendment which was lost :



*Provided*, That the provisions of this act shall not apply to the citizens of Maryland, Delaware, Kentucky and Missouri, who remove to this State.

Mr. Boyd moved to lay the bill on the table for the present, which motion was lost.

Mr. Mitchell offered the following amendment:

*Provided*, also, upon application for citizenship by any person now a citizen or resident of the United States, he shall further swear, that he has not either directly or indirectly taken up arms against the Confederate Government, or any State thereof, during the present war.

To which amendment Mr. Dyer offered the following amendments, which was accepted:

And if it should be made to appear that he, she, or they, should have sworn falsely, that then, and in that event, the party so offending, shall be subject to all the pains and penalties now provided by law for false swearing.

The amendment as amended was lost.

Mr. Lewis offered the following amendment, which was accepted:

To add in the body of the act, after the word "citizen," the words, "or residents."

The report as amended was agreed to; the bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk, to-wit:

*Mr. President*:—The House of Representatives have passed the following Act by a Constitutional majority, over the Executive veto, of two-thirds, by a vote of yeas 109; nays 37, to-wit:

An act to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes therein mentioned; and I am directed to transmit the same forthwith to the Senate.

The Special committee of the Senate, through their Chairman, Mr. Lewis, made the following report:

The Special committee of the Senate, to whom was referred the matter of investigating the amount of business before the General Assembly, with a view of ascertaining as nearly as possible at what time the General Assembly can adjourn, have considered the matter in joint session with a like committee of the House, and respectfully submit the following report:

## IN HOUSE.

No. of Bills introduced in the House.....	333
“ “ read first time.....	333
“ “ read second time.....	320
“ “ passed.....	22
“ “ lost.....	9
“ “ withdrawn.....	3
Resolutions introduced in House.....	98
“ not acted on.....	54
No. Senate bills in the House read 1st time.....	67
“ “ “ “ “ “ 2d “.....	46
“ “ “ “ “ passed.....	3
“ “ “ “ “ lost.....	1
“ “ “ “ “ for first reading.....	11

## IN SENATE.

No. of Senate bills in Senate read 1st time.....	8
“ “ “ “ referred to committees.....	8
“ “ House bills in Senate.....	16

The foregoing is about as correct a statement of the business before the General Assembly as the committee have been able to obtain. The committee would respectfully commend to the early consideration of the General Assembly, the General Appropriation bill and such bills as provide the Ways and Means of public defence. They also report the following resolution:

*Resolved*, That the General Assembly will adjourn *sine die*, on \_\_\_\_\_ unless otherwise ordered.

(Signed)

W. W. LEWIS,

Chairman Senate Committee.

B. H. BIGHAM,

Chairman House Committee.

On motion of Mr. Jackson, the Senate took up the message of the House of Representatives in relation to,

A bill to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, and for other purposes mentioned therein; which bill was passed by the General Assembly, vetoed by the Governor, and passed by the House of Representatives over the Governor's veto by the Constitutional majority.

Upon the question, shall this bill pass over the veto of His Excellency the Governor, by the Constitutional majority, the yeas and nays were recorded, and the yeas were 35, and the nays 3.

Those who voted in the affirmative were—

Messrs. Alexander, Anthony, Beasley, Boyd, Brown, Dyer, Echols, Fletcher, Fort, Gaston, Gibson, Gordon, Griffin, Han-



sell, Harris, Hill, Thos. Hilliard, Jackson, Jamison, Kendall, Killen, King, Lane, Lewis, McRae, Mitchell, Mosely, Seward, Shewmake, Simmons, Stafford, Stephens, Vason, Winn, Wright.

Those who voted in the negative were—

Messrs. James Hilliard, Smith, Ware.

Yeas 35; nays 3. So the bill passed by the Constitutional majority over the veto of the Governor; and the action of the Senate ordered to be transmitted to the House of Representatives forthwith.

By leave of the Senate, Mr. Gordon reported a bill to be entitled an act, supplementary of an act entitled an act to fix the salaries and compensation of certain officers mentioned therein, and for other purposes; passed by a Constitutional majority over the Executive veto, November 28th, 1861, which was read the first time.

Leave of absence was granted, for Monday next, to the committee on the Lunatic Asylum.

The rule being suspended, the Senate took up and read the second time a bill for the relief of the several banks in the State of Georgia, which have made advances to the State upon bonds or other contracts, and for other purposes.

The resolution of Mr. Killen respecting the tender of State troops to the Confederate States, reconsidered this morning, was taken up.

Mr. Gibson offered the following amendment:

*Provided*, That the Confederate States will receive them for the term of their present enlistment, and for local defence in this State, under the act of Congress, to provide for local defence and special service, approved August 21, 1861.

The amendment was agreed to; the resolution as amended was passed.

On motion of Mr. Seward, the message of his Excellency the Governor, making certain appointments, was made the special order for Friday next.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill to incorporate in the State of Georgia an Insurance Company, to be called the Great Southern Insurance Company.

The following amendment of Mr. Beasley was withdrawn, to-wit:

*Provided*, That said corporation shall not issue policies exceeding the capital stock subscribed.

Mr. Gibson offered the following amendment, which was agreed to:



*And be it further enacted*, that no stockholder in said Insurance Company shall be allowed to transfer his stock in said Company at any time by means of which he shall be released from any liability incurred by said company, or existing at the time of said transfer; but said stockholder shall continue to be liable for all liabilities or indebtedness of said company, existing at the time of said transfer.

The report as amended was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk:

*Mr. President*:—The House of Representatives have receded from its amendment to the Senate bill, entitled an act to re-enact the Stay Laws so far as relates to the stay of judgments and executions. The House has amended and passed the original Senate bill, of the above title, in which amendment the House of Representatives ask the concurrence of the Senate. I am directed to transmit the same to the Senate forthwith.

On motion the Senate adjourned until three o'clock, P. M.

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#### AFTERNOON SESSION, THREE O'CLOCK, P. M.

The Senate met according to adjournment.

The Senate took up as the report of the committee of the whole,

A bill to provide against a conflict of laws between the Code and the Statutes of 1860.

On motion said bill was laid upon the table for the present.

The Senate, on motion, took up the message of the House of Representatives so far as relates to a Senate bill to continue in force the fourth section of an act, passed over the Governor's veto in the 30th day of November, 1860, entitled an act to provide against the forfeiture of the several bank charters of this State, on account of non specie payment for a given time, and for other purposes.

And also, an act to add a proviso to the fourth section of an act entitled an act for the relief of the people and banks of this State, and for other purposes, passed on 30th November, 1860; and to add an additional section to said act, assented to 20th December, 1860.

Said bill was amended by the House of Representatives, by striking out of the last clause the words "except that of

the before recited act which provides for the collection of costs."

Upon the question of concurring in said amendment, the yeas and nays were recorded, and were yeas 23, nays 9.

Those who voted in the affirmative were :

Messrs. Alexander, Beasley, Bell, Boyd, Dyer, Fletcher, Gaston, Gibson, Gordon, Hansell, Harris, Hill, Thomas Billiard, Jamison, Killen, King, Lewis, McRae, Moseley, Seward, Shewmake, Vason, Wright.

Those who voted in the negative were :

Messrs. Griffin, James Hilliard, Jackson, Lane, Mitchell, Simmons, Stephens, Ware, Winn.

Yeas 23. Nays 9. So the amendment of the House was concurred in.

The rule being suspended, Mr. Bell offered the following resolution, which was taken up, read, adopted, and the Secretary ordered to transmit the same forthwith to the House of Representatives :

*Resolved*, that the General Assembly will adjourn *sine die* on Saturday the 7th December next.

Mr. Dyer of the committee on enrollment, made the following report :

The committee on enrollment report as duly enrolled and ready for the signature of the President,

An act to re-enact the Stay laws so far as relates to the stay of judgments and executions.

On motion, the action of the Senate upon the bill re-enacting stay laws, was ordered to be transmitted forthwith to the House of Representatives.

A bill to assume and pay into the Treasury of the Confederate States of America, the taxes assessed or to be assessed against the citizens of the State of Georgia, under an act of the Congress of the said Confederate States, usually called the Confederate War Tax Act, passed on the day of August, 1861, was laid upon the table for the present.

The rule being suspended, on motion of Mr. Mitchell, certain resolutions requesting our Representatives in Congress, to use their influence in favor of the issue of Treasury notes by the Confederate Government, for the purchase of the surplus of cotton, corn, &c., were without a reading referred to the committee on the state of the Republic.

A bill for the reduction of the salaries of the officers of the Western & Atlantic Railroad, was taken up and made the special order for Monday next.

The rule being suspended, the Senate took up as the report of the committee of the whole,



A bill to authorize the Justices of the Inferior Court of this State, to issue bonds and borrow money in certain cases.

Mr. Seward offered the following amendment, which was agreed to :

*Be it enacted*, That the Justices of the Inferior Court of Decatur county be and they are hereby authorized to raise money from the sale of county bonds, to meet present emergencies in equipping and supplying soldiers from said county, and to provide means for the support of the needy families of soldiers in service ; this act to continue in force until peace is declared, which was agreed to.

Mr. Hansell moved to amend the report by striking out the following proviso :

*Provided*, That in no case shall any claim be ever made to, or against, the State of Georgia, for any portion of such sum or sums of money so raised ; which motion, to strike out, was agreed to.

Mr. Hansell moved that the title of the bill be altered so as to suit the body of the bill, which was agreed to.

The report as amended was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to settle conflicts of the code of this State with the acts of the last General Assembly, and for other purposes.

Mr. Killen offered the following amendment :

Sec. 2. *The General Assembly of the State of Georgia do enact*, That the operation of said Code as the laws of Georgia, be and the same is hereby suspended until the first day of January, eighteen hundred and sixty-three ; and that said Code not so incompatible shall be declared the laws of this State, from and after the 1st day of January 1863 ; which was agreed to.

The report as amended was agreed to ; the bill was read the third time and passed.

The rule being suspended, on motion of Mr. King the following bills from the House of Representatives were taken up and severally read the second time, to-wit :

A bill to Incorporate the Cavanders' Creek and Fields Gold and Mining Company, and for other purposes therein mentioned.

Also, a bill to alter and amend an act to incorporate the town of Jonesboro, in the county of Clayton, and to provide for the election of Marshals and Clerks, &c.

Also a bill to aid the Georgia Relief and Hospital Association, and to appropriate money therefor.



Also, a bill to grant relief to the people of Georgia by staying the enforcement of executions against the property of the citizens of this State, until the first day of December 1862, and for other purposes.

Also a bill to authorize Owen C. Pope, a minor of the county of Washington, to probate and qualify as Executor of the last will and testament of Owen C. Pope, Senior.

On motion, this bill was referred to the Judiciary Committee.

Also, a bill to incorporate the town of Bellville, in the county of Richmond, and to provide for the election of officers, &c.

Also, a bill to legalize the proceedings of the Southern stockholders of Brunswick and Florida Railroad Company, to change the name of said Company, and to amend the act of incorporation, to extend the charter thereof, and to facilitate the building thereof.

Also, a bill to appropriate money for the support of the Georgia Academy for the Blind.

Also, a bill to repeal the fourteenth section of an act entitled an act to incorporate the town of Valdosta in the county of Lowndes, and for other purposes therein mentioned.

Also, a bill to be entitled an act to give to the several Justices' Courts of this State, jurisdiction in cases sounding in damages in certain cases.

Also, a bill to amend an act, approved December 17th, 1859, entitled an act to prescribe the time of holding elections for the Senators in the Congress of the United States from the State of Georgia.

The rule being suspended, on motion, the following bill from the House of Representatives was taken up and read the first time :

A bill for the relief of Mrs. Margaret Dilson, administratrix of Michael Dilson.

The rule being suspended, the following bills were taken up and severally read the second time :

A bill to require one half of the fines and forfeitures imposed by the Judges of the Superior Courts of the counties of Fannin, Gilmer and Pickens, upon criminal prosecutions, to be paid over to the county Treasurers of said counties for county purposes, and for other purposes.

Also, a bill to make Penal acts of monopolizing or engrossing, and for other purposes.

On motion of Mr. Vason, this bill was referred to the committee on the Judiciary.

Also a bill for the relief of B. Henri R. Davenport of the county of Chatham.

The rule being suspended, the Senate took up as the report of the committee of the whole, the following bill from the House of Representatives :

A bill to legalize the adjournment of certain Superior Courts in the Northern Circuit.

The report was agreed to ; the bill was read the third time and passed.

The rule being suspended, the Senate took up as the report of the committee of the whole, the following bill from the House of Representatives :

A bill to change the name of the county of Cass, and for other purposes.

Mr. Mitchell offered the following amendment, which was agreed to :

Strike out the name of the county site, "Bartowville," and insert in lieu thereof, "Manassa."

Mr. Mitchell moved to lay said bill upon the table for the present, which motion was rejected.

The report as amended was agreed to ; the bill was read the third time and passed, with a rising vote.

The rule being suspended, the Senate, on motion, took up as the report of the committee of the whole,

A bill to authorize the Ordinary of DeKalb county to grant letters of Administration on the estate of Thomas W. Chivers, deceased, of said county.

The report was agreed to ; the bill was read the third time and passed.

A resolution reported by Mr. Echols relative to the appointment of Chaplains to the several regiments in the service of this State, was laid upon the table for the balance of the session.

A resolution reported by Mr. Bell, instructing the Military Committee to inquire into the expediency of revising the Militia system of this State, and report by bill or other wise, the best means of revising it, was adopted.

On motion the Senate adjourned till 7 o'clock this evening.

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7 O'CLOCK, P. M.

The Senate met according to adjournment.

On motion of Mr. Hansell, the Door Keeper was ordered to set the clock so as to correspond with the town time and that of the House of Representatives.

The following message was received from His Excellency the Governor by Mr. Waters his Secretary, to-wit :



*Mr. President*.—The Governor has approved and signed the act to continue in force the 4th section of an act passed over the Governor's veto on the 30th day of November, 1860, entitled an act to provide against the forfeiture of the several Bank Charters of this State, on account of non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several banks and their officers in this State for non-payment of specie, and other purposes; and also, an act to add a proviso to the 4th section of an act for the relief of the people and banks of this State, and for other purposes, passed on 30th November, 1860; and to add an additional section to said act, assented to 20th December, 1860.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit:

*Mr. President*.—The House of Representatives have passed the following bill of the Senate with amendments, in which amendments they ask the concurrence of the Senate, to-wit:

A bill to be entitled an act to re-enact and continue in force the 1st, 2d and 3d sections of an act to grant relief to the banks and the people of this State, &c., passed over the Governor's veto on the 30th November, 1860; and also, to re-enact and continue in force the 4th section of an act to add a proviso to the 4th section of an act entitled an act for the relief of the banks and people of this State, &c., assented to 20th December, 1860; and I am directed to transmit the same forthwith to the Senate.

On motion the Senate took up the message from the House of Representatives in relation to a bill of the Senate, to be entitled an act to re-enact and continue in force the first, second and third sections of an act to grant relief to the banks and the people of this State, &c., passed over the Governor's veto on the 30th day of November, 1860; and also, to re-enact and continue in force the fourth section of an act to add a proviso to the fourth section of an act entitled an act for the relief of the banks and people of this State, &c., assented to 20th day of December, 1860; which they have passed with the following amendments:

Strike out the proviso in the 1st section and insert the following:

*Provided*, That none of the banks of this State shall be entitled to the relief from the penalties imposed by existing laws, nor shall be authorized or permitted to suspend the payment of their bills upon demand, unless such banks shall at all times give the Treasury notes of this State, or of the Confederate States, at par, in exchange for their own bills or bank notes, when demanded in sums of one hundred dollars.



Also, insert at the end of the bill these words: *Provided further*, the provision for the issue of change bills, contained in the above proviso, shall not be obligatory upon said banks till the first day of January next.

Mr. Gordon moved that the Senate concur in the amendments of the House of Representatives.

Mr. Mitchell offered the following amendment, which was rejected :

*Provided*, That none of the banks of this State shall be entitled to any of the benefits of any of the provisions of this act, that may refuse to receive in payment the Treasury notes of this State, or of the Confederate States, at par.

Upon the motion to concur in the amendments of the House of Representatives, the yeas and nays were recorded, and the yeas were 25, and nays 5.

These who voted in the affirmative were :

Messrs. Alexander, Anthony, Beaseley, Bell, Boyd, Dyer, Fletcher, Fort, Gibson, Gordon, Hansell, Hill, James Hilliard, Thos. Hilliard, Jamison, Kendall, King, Lane, Lewis, Moseley, Simmons, Stephens, Vason, Ware, Winn, Wright.

Those who voted in the negative were :

Messrs. Brown, Jackson, McRae, Mitchell, Stafford.

Yeas 25, nays 5. So the bill was passed by the Constitutional majority, and the action of the Senate ordered to be transmitted to the House immediately.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President* :—The House of Representatives has passed the following bills of the Senate to-wit :

A bill entitled an act for the relief Gabriel Toombs.

Also, a bill entitled an act to alter and fix the times for holding the Superior Courts in the several counties composing the Middle District, and for other purposes.

Also, a bill to be entitled an act to alter and amend the several acts incorporating the city of Atlanta, in Fulton county, with amendments, in which they ask the concurrence of the Senate. I am directed to transmit these bills forthwith to the Senate.

The Senate took up the message from the House of Representatives in relation to a Senate bill, to alter and amend the several acts incorporating the city of Atlanta, in Fulton county, Georgia, which they have passed with the following amendments :

By inserting after the word "city" in the fifth line of the first section the words, "after the next regular annual election in January next."

Also, by inserting after the word "December" in the 6th line of the 1st section, the words "1862 and."

Also, after the word "year" in the 7th line the word "thereafter."

Also, strike out the proviso in the first section.

On motion of Mr. Hansell the amendments of the House of Representatives were concurred in, and the action of the Senate ordered to be transmitted forthwith to the House of Representatives.

Leave of absence was granted to Mr. Anthony for a few days.

Mr. Dyer, from the Committee on Enrollment reports as duly enrolled and ready for signature,

A bill to be entitled an act to re-enact and continue in force the first, second and third sections of an act to grant relief to the banks and people of this State, &c., passed over the Governor's veto on the 30th day of November, 1860 ; and also, to re-enact and continue in force the fourth section of an act, to add a proviso to the fourth section of an act entitled an act for the relief of the banks and people of this State, &c., assented to the 20th December, 1860.

Mr. Dyer of the Committee on Enrollment made the following report :

The Committee on Enrollment report as duly enrolled and ready for signature,

An act for the relief of Gabriel Toombs.

Also, an act to alter and fix the time for holding the Superior Courts in the several counties composing the Middle District, and for other purposes connected therewith.

The following message was received from his Excellency the Governor by Mr. Waters his Secretary to-wit :

*Mr. President*.—The Governor has approved and signed the act entitled an act to re-enact and continue in force the first, second and third sections of an act to grant relief to the banks and people of this State, &c., passed over the Governor's veto on the 30th day of November, 1860 ; and also, to re-enact and continue in force the fourth section of an act, to add a proviso to the fourth section of an act entitled an act for the relief of the banks and people of this State, &c., assented to the 20th December, 1860.

The rule being suspended, Mr. Jamison reported a bill to change the times of holding the Superior Courts of Towns county and legalize processes returnable thereto, which was read the first time.

The Senate then adjourned till ten o'clock Monday morning next.

MONDAY, DECEMBER 2ND, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

Leave of absence was granted to Mr. Beasley, and Mr. Griffin.

By unanimous consent of the Senate permission was granted to Messrs. Gaston and Furlow to record their votes upon the concurrence of the Senate in amendments of the House of Representatives to a bill re-enacting the laws granting relief to the banks—each voting yea.

The special order for to-day, which was a bill for the reduction of the salaries of officers of the Western & Atlantic Railroad, was made the special order for Wednesday next.

The following message was received from the House of Representatives by their Clerk, Mr. Carrington:

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have passed the following bills, to-wit:

A bill to be entitled an act to amend an act incorporating the city of Dalton.

Also, a bill to be entitled an act to authorize the Inferior Court of Whitfield county to levy a tax and appropriate the same.

They have also passed the following bills of the Senate, to-wit:

A bill to be entitled an act to confer certain powers on the Inferior Court of Tatnall county.

Also, a bill to be entitled an act to direct and empower the Inferior Court of Sumter county, or a majority thereof, to levy, collect and disburse an extraordinary tax for the support of the indigent families of such soldiers from Sumter county who are now or may hereafter be absent in the State or the Confederate military service, and for other purposes connected therewith.

The Senate took up as the report of the committee of the whole,

A bill for the relief of the several Banks in this State which have made advances to the State upon bonds, and other contracts, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed, and ordered to be transmitted to the House of Representatives immediately.

The Senate took up as the report of the committee of the whole,

A bill for the relief of B. Henri R. Davenport, of the county of Chatham.



The report was agreed to : the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to require one half of the fines and forfeitures imposed by the Judges of the Superior Courts of the counties of Fannin, Gilmer and Pickens upon criminal prosecutions to be paid over to the county Treasurers of said counties for county purposes, and for other purposes.

The report was disagreed to, and the bill was lost.

The Senate took up as the report of the committee of the whole,

A bill to assume and pay into the Treasury of the Confederate States of America, the taxes assessed or to be assessed against the citizens of this State, &c.; which on motion was laid upon the table for the present.

The Senate took up as the report of the committee of the whole,

A bill to reimburse and pay by the State to the several counties in this State, all such sums of money as they may or shall have paid for the equipment of volunteer companies from their respective counties, &c.; which on motion was laid upon the table for the balance of the Session.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have passed the following bill, to-wit :

A bill to be entitled an act to designate the place of holding sales by Sheriffs, Coroners, Executors, Administrators, &c., in the county of Muscogee ; and I am directed to transmit the same forthwith to the Senate.

The rule being suspended the Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to amend an act approved December 17, 1859, entitled an act to prescribe the time of holding elections for Senators in the Congress of the United States from the State of Georgia.

The report was agreed to ; the bill was read the third time and passed.

The rule being suspended the Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to give to the several Justices Courts of this State jurisdiction in cases sounding in damages, in certain cases ; which on motion was referred to the Committee on the Judiciary.

The following bills from the House of Representatives were taken up and severally read the second time :

A bill to amend an act to incorporate the city of Dalton.

Also, a bill to designate the place of holding sales of Sheriffs, Coroners, Executors, Administrators, &c., in the County of Muscogee.

Also, a bill to authorize the Inferior Court of Whitfield county to levy a tax and appropriate the same.

On motion the Senate adjourned till 10 o'clock to-morrow morning.

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FRIDAY, DECEMBER 6TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Mosely.

The rule being suspended Mr. Hansell submitted a communication from Mr. John H. Rice, respecting a "Descriptive Geography," which was read and referred to the Committee on Education.

The rule being suspended on motion of Mr. Boyd the Senate took up as the report of the committee of the whole,

The bill respecting the reduction of the salaries of officers of the Western & Atlantic Railroad.

Mr. Echols offered the following amendment, which was accepted :

*Provided*, Nothing in this act shall be so construed as to reduce the salaries of any of the Engineers on said road.

Mr. Mitchell offered the following amendment :

*Provided*, That no agent on said road at any station shall receive a larger amount for his salary than the amount actually received and paid into the Treasury at said stations for freight.

Mr. Jackson offered the following amendment in the nature of a substitute for the whole of said bill except the caption :

"That from and after the passage of this act the salary of the Treasurer of said road shall be fifteen hundred dollars, and that the salary of such Depot Agents on said road at such stations as the work has or shall be greatly diminished, it shall be the duty of the Superintendent to equalize the compensation for service rendered at such Depot or station, and in no case shall such compensation exceed the amount of the freight collected at such depot or station on said road.

Mr. Furlow offered the following amendment in the na-

ture of a substitute, for the amendment offered by Mr. Jackson, which was lost:

"That the salaries of all officers, agents and workmen on said road amounting to the sum of three thousand dollars, and upwards, shall be reduced twenty per cent.; those amounting to two thousand and less than three thousand dollars shall be reduced fifteen per cent.; those amounting to fifteen hundred and not more than two thousand dollars shall be reduced twelve and one-half per cent.; and all other salaries shall be reduced ten per cent.; *Provided*, That the salaries of Engineers running locomotives shall not be affected by this act."

The amendment offered by Mr. Jackson was also lost.

Mr. Gordon offered the following amendment, in the nature of a substitute, for the whole bill except the caption:

*Be it enacted*, That the Governor be requested to scrutinize the salaries of the officers and employees of the Western & Atlantic Railroad, and whenever it can be done with a due regard to the best interest of the road, a fair and proper reduction of their salaries shall be made.

Upon agreeing to this substitute the yeas and nays were called for, and were yeas 23, nays 16.

Those who voted in the affirmative are—Messrs.:

Beasley, Bothwell, Brown, Fletcher, Fort, Furlow, Gaston, Gordon, Griffin, Hansell, Harris, Hill, Jamison, Kendall, Killen, King, Lewis, Mosely, Smith, Stafford, Swearingen, Winn, Wright.

Those who voted in the negative are—Messrs.:

Alexander, Anthony, Bell, Boyd, Dyer, Echols, James Hilliard, Thos. Hilliard, Jackson, Lane, McRae, Mitchell, Simmons, Stephens, Vason, Ware.

Yeas 23, nays 16. So the substitute was received in lieu of the original.

The report as amended was agreed to, the bill was read the third time and passed.

The following message was received from His Excellency the Governor by his Secretary, Mr. Waters, to-wit:

*Mr. President*: I am directed by the Governor to deliver to the Senate a communication in writing on the subject of Coast defence.

On motion the Senate went into secret Executive Session.

On motion the Executive Session was dissolved, and the Senate returned to open session, and on motion adjourned to 3 o'clock, P. M.



3 O'CLOCK, P. M.

The Senate met according to adjournment.

The following bills from the House of Representatives were severally read the second time :

A bill to legalize certain acts of the Inferior Court of the county of Butts the present year, and make the same valid.

Also, a bill to consolidate the offices of Ordinary and Clerk of the Inferior Court of the county of Gilmer.

Also, a bill to authorize and require the Treasurer of the State to make an advance to the State Printer.

Also, a bill to alter and amend the second section of an act entitled an act to define the liabilities of the several Railroad Companies of this State for injury to or destruction of live stock killed or injured, or for destruction of or injury or damage to property other than live stock by the running of cars, engines or locomotives, or other machinery upon a Railroad in this State, assented to 20th February, 1854.

Also, a bill to extend the time for the payment of taxes for the year 1861.

Also, a bill to incorporate the Direct Trading Company of Georgia, and for other purposes.

Also, a bill to alter the sixth section of an act to amend the Patrol laws of this State, approved February 20th, 1854.

Also, a bill to amend an act to consolidate the offices of Receiver and Collector of Tax Returns in the counties of Lumpkin, Tatnall, and other counties, so far as relates to the county of Gilmer.

Also, a bill to amend the several acts relating to the Savannah & Albany Railroad Company and the Savannah Albany & Gulf Railroad Company, and to authorize the said Company to extend its track to Tybee island.

Also, a bill to extend the provisions of an act entitled an act to regulate the collection of Jury fees in the Superior and Inferior Courts of Coweta, Floyd and Cass counties, approved February 18, 1856, so as to include the county of Whitfield in the provisions of said act, and to add an additional section to provide for the collection of the same.

Also, a bill to be entitled an act to allow slaves and free persons of color who may leave this State to return to Georgia.

Also, a bill to consolidate the offices of Clerks of the Superior Courts in the counties of Fayette, Sumter, Chatahoochee, Terrell, Newton, Meriwether, Franklin and Habersham.

Also, a bill to provide for the payment by the State of Georgia of the war tax levied by the Congress of the Confederate States, approved August 17th, 1861.

Also, a bill to amend an act entitled an act to provide a

more easy and convenient mode of proving open accounts in Justices Courts, approved December 26th, 1827.

On motion this bill was referred to the Committee on the Judiciary.

The following bill was taken up, read the second time, and on motion referred to the Committee on the Judiciary:

On motion the Senate went into secret Executive session.

The secret Executive Session being dissolved the Senate returned to open session; and on motion adjourned till ten o'clock, to-morrow morning.

SATURDAY, DECEMBER, 7TH, 1861. }

10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Moseley.

On motion of Mr. Hansell, leave of absence, for a few days, was granted to Messrs. Hansell and Stafford, members of the committee to examine the offices of the Comptroller General and Treasurer.

The following message was received from His Excellency the Governor by Mr. Waters, his Secretary, to-wit:

*Mr. President* :—I am directed by His Excellency the Governor to deliver to the Senate a communication in writing.

On motion of Mr. Furlow, the regular order was suspended and the Senate took up a communication from his Excellency the Governor, which was read as follows :

EXECUTIVE DEPARTMENT, }

MILLEDGEVILLE, GA., December 5th, 1861. }

*To the General Assembly:*

The correspondence between the Secretary of War and myself which has been laid before you, shows that I did all in my power to induce the Government of the Confederate States to increase the force upon our coast, and to make the necessary preparation for our defence, prior to the organization by me of the military forces now in the service of the State. In making this statement, I do not wish to be understood that I reflect upon that Government for a willful neglect of duty. I believe it is the wish and intention of those in authority, to use the forces and means at their command, in such manner, and at such places as will best promote the general good. But viewing the field from the



stand point which they occupy, they have been of opinion, as their action has shown, that there was greater necessity for the troops and the resources at their command, at other points. Hence, they failed to make the necessary preparation for our defence.

Appreciating the difficulties with which the Confederate Government had to contend, and hoping that they might make the necessary preparations for the defence of the State, I delayed action on State account as long as I could possibly do so, consistently with the public safety. Almost every newspaper received from the North in the months of August and September, contained statements of the strength of the fleet which was being fitted out by the enemy, and of the intention to send it with an invading force against our coast as soon as the season would permit.

In the formation of the Constitution of the Confederate States, each State reserved to itself the sovereign right to *engage in War* when "actually invaded, or in such imminent danger as will not admit of delay." The statute of our own State authorized me to accept the services of ten thousand volunteers, of different arms, in such proportions as the exigencies of the service might require. The people of the coast continually called on me for protection. The general voice of the people of the State was, that they were entitled to it, and that the safety of the whole State depended, in a great degree, upon the successful defence of the coast. The Constitution gave me the right, and the statute made it my duty, to act. I did so; but not until the latest day when I could have time to organize and prepare the troops for service, before the invasion.

The organization has been conducted in strict conformity to the requirements of the statute, and the Generals have been appointed to command the troops, by and with the advice and consent of the Senate now in session. Suppose I had made a calculation, and determined it would cost too much for the State to assist in her own defence, and had refused to call out the troops, and had met the General Assembly and informed you I had made no preparation for the defence of the State, for the reason that it must cost a large sum of money; and that I had again and again asked the Secretary of War to defend us, and that I relied on the three or four thousand Confederate troops then on our coast, to protect the city of Savannah, and the whole coast against the powerful force sent for our subjugation; what would have been the verdict passed upon my conduct by the General Assembly, and every intelligent patriot in Georgia?—Would it not have been one of universal and just condemnation?

Results have shown that I was not mistaken when I de-



cided that the danger was imminent, and commenced active preparation to meet it.

The invader's troops are on our soil, and his flag now waves over our territory, and insults the dignity and sovereignty of our State.

Thus menaced with subjugation and degradation, is it possible that we, as the representatives of the people, and as co-ordinate branches of the government, can spend our time in discussions about the cost of our defence; or whether the State or Confederate Government shall for the present, assume the burden and make the expenditure; or that our action can be influenced by party consideration, or by personal hatred or personal favoritism; or that we can stop to consider whether our action will tend to sustain, or to advance the political fortunes of one man, or to injure those of another? Surely we have graver duties than these to perform, and weightier responsibilities to meet.

We have now been over four weeks in session. Our troops in the field have been in need of supplies, and we have made an appropriation of only one hundred thousand dollars. This is not more than half the necessary expense of our military operations since the commencement of the session, and is but little over double the sum necessary to pay the expenses which the General Assembly has cost the State for the same length of time.

I mention these things in no spirit of fault-finding, but in the hope that dissensions and jealousies, if they exist, may be banished from our midst, and that we may unite as one man, and promptly provide the necessary means to defend the State, and drive the invader from our soil.

The organization of the State troops is becoming a very efficient one, which will soon make them terrible to the invader.

At this important period, in the face of the enemy; when organization and harmony are of the utmost importance, a proposition is made that we pause and count the cost of our defence, and that we transfer our army to the Confederacy, by regiments, battalions or companies; and if they are not received, that we disband the troops and thus get rid of the expense.

Let us examine this question of expense for a moment. Suppose we dismiss from our breasts every feeling of patriotism and every generous impulse, with every desire for liberty or independence, and consider the question as one of sordid gain, of mere dollars and cents. What reasonable man, having an estate of seven hundred millions of dollars, and finding it in litigation, and the title in a precarious condition, would hesitate a moment to give able counsel five millions to defend and secure the title? The property of the people of Georgia is worth seven hundred millions of

dollars—the State is now invaded, and every dollars of it hangs upon the result. If we are conquered, all is lost. Is it possible in this state of the case, that we can refuse to give five millions for the support of our gallant troops who are now in the field, ready to spill the last drop of their blood to defend and secure our title? Strong as the case thus presented may be, this is a narrow, contracted view of the subject. All the property and all the money in the State is as nothing compared with the principles involved, and the consequences to us and our posterity.

But do we get rid of the expense by the proposed transfer? I maintain that it does not in any view of the question save to the State one dollar. If the troops are transferred, the Confederacy will pay their expenses, and Georgia, as a member of the Confederacy, will have to meet her part of it. If she retains them, at the end of the war the Confederacy will assume the expense of the Georgia troops as well as of the troops of the other States, and Georgia will only have to pay her part. If the Confederacy does not receive the troops, and they are disbanded, the city of Savannah, and the whole sea coast, and the Southern part of the State, must fall into the hands of the enemy, and the destruction of property will cost us ten times as much as the highest appropriation any one would ask to support the troops. There is not, therefore, one dollar of economy or of saving to the State in the proposition.

Virginia, Tennessee, North and South Carolina, Louisiana, and probably other States, are calling, and have called into the field, large numbers of State troops, to repel the invasion and protect their property. At the end of the war, the expense incurred by each of these States, will be assumed by the Confederacy, and Georgia will have to pay her part of it. If, while they defend themselves, she permits her coast to fall into the hands of the enemy and her citizens to be plundered rather than incur the expense necessary to the protection of her people, the other States of the Confederacy may be saved their part of the expense which was necessary to her defence. But instead of saving expense, is she not the loser?

Tennessee expended five millions of dollars in less than six months, and no complaint is heard from her Legislators, or her people, that they cannot afford to incur the expense of self-defence.

Two other grave questions, in this connection, demand our careful consideration. Have we the power to transfer the troops to the Confederacy, without their consent? And has the President the power to accept them even with their consent? Neither is true.

First, as to our power to transfer them: the troops in response to the call of the Executive of the State, have vol-



unteered to serve the State as *State troops* ; and have been mustered into the service of the State, and not into the service of the Confederacy. It was no part of the contract between the troops and the State, that they should be transferred to the service of the Confederacy ; and the State has no right to make the transfer without their consent. They are not cattle to be bought and sold in the market. They are brave, generous, high-toned freemen, who have left their homes at the call of their State, and are now undergoing all the fatigues and hardships of camp life for her defence.— While they are brave enough to defend their rights, they are intelligent enough to understand them ; and we are greatly mistaken if we suppose they will submit to a change of their present organization, or to an act of injustice to those who have their confidence, and who have been legally appointed to command them. They are, as our statute which was passed to meet this very emergency, required, organized into companies, battalions, regiments, brigades, and a Division. If we disband the division and turn over the brigades, we are, in my opinion, guilty of gross injustice to the gallant and chivalrous son of Georgia, whom we have just called from an honorable command in Virginia, where he has rendered distinguished service, and have invited to the command of the troops of his native State. In response to the call made upon him by the Governor with the advice and consent of the Senate, he has resigned his command in the Confederate service, and is on his way to Georgia ; and it is now proposed, when he reaches the State, to inform him that he has been deceived ; that we have changed our policy, and that his services are not needed.

If we disband the brigades, we do injustice to the Brigadier Generals, who have been called from important pursuits, and invited by the highest appointing power in the State, to the commands which they now hold. Among this number is the gallant Walker, whose glorious deeds have shed lustre upon the character of the State, while his blood has stained almost every battle-field where his country's rights have been vindicated for the last quarter of a century.

If we disband the regiments, we do injustice to the Colonels, who have been legally elected to command them ; and if we disband the battalions and tender the troops by companies, we do like injustice to the Lieutenant Colonels and Majors. In any, or either of these cases, we must expect that the gallant men under their command, will make the cause of their officers common cause, and refuse to submit to such injustice. We have not, therefore, the power, to transfer the troops without their consent ; and I feel quite sure they will never give their consent unless the whole organization is transferred in its *totality*, retaining every of-



ficer, from the Major General down to the lowest grade in his position, with his rank and command.

Second, As to the power of the President to accept the troops—the law passed by Congress authorises the President to accept them by companies, battalions or regiments, but gives him no authority to accept a brigade or division. The law also defines the number of which a company shall consist, and gives him no power to accept a company with less than sixty-four, nor more than one hundred privates.—It will be borne in mind that the Statute uses the term *privates*. Add to these the four commissioned and eight non-commissioned officers, and two musicians, and the *minimum* number of a company which the law authorizes the President to accept is seventy-eight, while the *maximum* number is one hundred and fourteen. The President has no more right under the Statute, to accept a company with less than sixty-four privates, and a proper number of officers, than he has to accept a brigade or division. If the one is illegal the other is equally so.

The Statute of our own State declares that a company of infantry shall consist of not less than fifty, nor more than eighty RANK AND FILE. This term includes non-commissioned officers and musicians as well as privates. Add the four commissioned officers, and our *minimum* number is fifty-four, and the *maximum* number eighty-four. A company must, therefore, approximate very near our largest number before it reaches the smallest number with which it can be received into the Confederate service. If I had had plenty of arms with which to arm the State troops, I might have refused to accept companies with less than the smallest Confederate or largest State number. But I was compelled to appeal to the companies to bring good country arms with them, and as the number of these arms which could be made efficient within the reach of a company was generally limited, I was frequently obliged to accept companies with little more than the smallest number allowed by the Statute, or to reject them and permit them to disband. While therefore, each and every company is organized in conformity to our own Statute, and has a legal number, probably each one of two thirds of the companies, has less than the smallest number authorized by the Confederate Statute, and could not be accepted by the President or mustered into the service of the Confederacy. If we could be supposed to be capable of the injustice to the Generals, Colonels, Lieutenant Colonels and Majors which would result from a disbanding of the State organization, and should tender the troops by companies, it is very clear that over two thirds of them could not be accepted, and must, therefore, be disbanded and sent home. No one who carefully investigates this question can fail to see that an appropriation of money for

the support of the troops, which has a condition annexed to it, making the appropriation dependent upon the tender of the troops to, and their acceptance by the Confederacy, is equivalent to a refusal to vote supplies for their support, and an order to disband them in the face of the enemy.— But it may be said that Congress could pass a law authorizing the President, in this particular case, to receive the companies with their present organization consisting of less than sixty-four privates. This is true; and it is equally true that Congress could pass a law authorizing the President to accept them as organized, by divisions and brigades.

The troops might consent to the transfer on the latter supposition, as this would do justice to their officers, and maintain their organization as it was formed by the State; but it is very certain, in my opinion, that they will not consent to the transfer upon any other terms. If we disband these troops because we fail to stand by our State organization and protect their rights, or because we refuse to make the necessary appropriation to maintain them in the field, we disband an organization of as noble Georgians as ever assembled, with arms in their hands ready and willing, if they can do so with honor, to defend their State, and if need be to sacrifice their lives a willing offering upon her altar. Do this, and what encouragement do we offer to others to step forward and take their places?

I deny that such action would be just to our brave Generals on the one hand, or to the companies in the condition above described, on the other; or indeed to any company, which at the call of the State, has organized in conformity to her laws, and been accepted into service for her defence.

I deny that it is just to the city of Savannah, or the seacoast, by this extraordinary legislation to drive from the field nearly ten thousand of Georgia's most gallant sons, and leave these exposed points at the mercy of the enemy. And I deny that such legislation would reflect the will of the noble constituency who sent us here, and committed to our keeping their honor and their safety. They will never consent to see Georgia's proud escutcheon tarnished, or her flag trailing in the dust before her enemies because it must cost her a few dollars to maintain her noble sons in the field for her defence. The adoption of any policy looking to a transfer of the State troops, which may result in their disorganization, at a time when their services are so much needed by the State, would be, in my opinion, not only unwise but suicidal, and must result in the most disastrous consequences to the State.

If this fatal policy should be determined upon by the General Assembly, I will be responsible for none of the consequences growing out of it; and, in the name of the people of Georgia, I now, in advance, enter my solemn protest



against it. If the State troops are disbanded, or the appropriations to maintain them are made upon the condition that they be transferred or disbanded, which is equivalent to an order to disband them, it will become my duty, as the Executive of the State, to proclaim to her people, that, while the enemy is thundering at her gates, her representatives have left me powerless for her defence, by withholding the necessary means, and even taking from me those already at my command.

If I have used strong language, I mean no disrespect.—When all that is dear to a people is at stake, the occasion requires the utmost frankness and candor.

JOSEPH E. BROWN.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President* :—I am directed by the House of Representatives to inform the Senate, that they have passed the following bills, to-wit :

A bill to be entitled an act to provide for the public defence, and for other purposes.

Also, a bill to be entitled an act to repeal so much of an act assented to December 15, 1859, as includes the North half of lot of land No. 10, in the 27th district of Sumter county, in the county of Schley.

Also, a bill to incorporate Warehouse Insurance & Deposit companies, in the cities of Americus and Albany.

Also, a resolution relative to appointing Rev. C. W. Thomas, as Chaplain in the army.

Also, a bill to be entitled an act to amend the Certiorari laws of this State.

Also, a bill to be entitled an act to authorize the Inferior Court of Coweta county to levy an extra tax, &c.

Also, a bill to be entitled an act to provide for the election of County Treasurer for Ware county, and for other purposes.

Also, a bill to be entitled an act to prevent any person or persons from felling in timbers or otherwise obstructing the current of Toccoah river in the county of Fannin, and to punish offenders for the same.

Also, a bill to be entitled an act for the relief of William E. West, of the county of Polk.

Also, a bill to be entitled an act to authorize the Justices of the Inferior Court of Catoosa county to stop up a ford across Chickamauga Creek, and to change the road in said county, and for other purposes.

The House of Representatives has also concurred in the Senate resolutions relative to the boundary line between the



States of Georgia and Florida, with an amendment, in which they ask the concurrence of the Senate.

The House of Representatives has also adopted a resolution appointing a Joint Committee of the two Houses to examine into the business before the same preparatory to an early adjournment of this General Assembly, and have appointed on the part of the House of Representatives, as such committee, Messrs. Lane, of Hancock, Bloodworth, of Pike, and Lee, of Muscogee, in which the House of Representatives ask the concurrence of the Senate.

The House of Representatives has also adopted the following resolutions in which they ask the concurrence of the Senate, to-wit:

A resolution instructing the Comptroller General to issue certain instructions to Tax Collectors throughout Georgia, to stop the sale, under tax fifas, of lands belonging to alien enemies.

Also, resolutions declaring Georgia's unalterable intention to prosecute the present war to a successful termination.

On motion the following bill from the House of Representatives was taken up, read the first time and fifty copies ordered to be printed:

A bill to provide for the public defence, and for other purposes.

On motion the following resolution from the House of Representatives was taken up, read and adopted, to-wit:

*Resolved*, That a committee of three be appointed by this House to confer with a like committee upon the part of the Senate to examine into the business now before both Houses of the General Assembly for the purpose of ascertaining and reporting to both Houses such business as is of general character that the same may be acted upon at as early a day as possible, looking to the adjournment of the General Assembly at its earliest practicable day. The President appointed on said committee on the part of the Senate Messrs. Hill, Lewis and Dyer; and the action of the Senate ordered to be transmitted to the House of Representatives forthwith.

The rule being suspended the following communication from His Excellency with the accompanying Resolutions, was taken up, read and referred to the Military Committee:

EXECUTIVE DEPARTMENT, }  
Milledgeville, Ga., December 6th, 1861. }

*To the General Assembly:*

In compliance with the request contained in the accompanying Resolutions I transmit them to the General Assembly.

JOSEPH E. BROWN.

## RESOLUTIONS.

CAMP HARRISON, S. A. & G. R. R., }  
December 3d, 1861. }

At a meeting of the officers of Col. E. W. Chastain's regiment of State Volunteers, on motion of Capt. John S. Fain the following preamble and resolutions were unanimously adopted :

WHEREAS, We have learned with regret that a resolution to transfer the Georgia State Volunteers to the service of the Confederate States has passed the Senate of the State of Georgia, and seems to meet with general favor in the House of Representatives :

*Therefore Resolved, 1st.* That we pledge our property, our lives, and our sacred honor to the maintenance of the rights, honor and cherished institutions of our beloved State and the Confederate States; notwithstanding, we most solemnly declare that should the General Assembly of the State of Georgia force such an alternative upon us, we will at once abandon the field and return to our homes.

*Resolved, 2d.* That we are freemen, and that the General Assembly, nor no other power on earth, has the right to transfer us to the Confederate States service, or any other service without our consent, and that no such authority ought to be exercised over a free people.

*Resolved, 3d.* That we are not the property of the General Assembly of Georgia, to be sold and transferred from one owner to another like a promissory note, and that we hereby enter our solemn protest against any such sale.

*Resolved, 4th.* That a copy of this preamble and resolutions be forwarded to His Excellency Governor Brown, with a request that he lay the same before the General Assembly of the State of Georgia.

(Signed) JOHN H. CRAVEN, Pres't.

E. B. MOORE, Secretary.

The rule being suspended the Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to authorize and require the Treasurer of this State to make an advance to the State Printer.

The report was agreed to, the bill was read the third time and passed, and ordered to be transmitted forthwith to the House of Representatives.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to amend the second section of an act entitled an act to define the liabilities of the several Railroad companies of this State for injury to, or destruction of live stock killed or injured, or for destruction of, or injury or damage to



property other than live stock, by the running of cars, engines, or locomotives, or other machinery upon a Railroad in this State, assented to 20th February, 1854.

The report of the committee was disagreed to, and the bill was lost.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives:

A bill to amend the several acts relating to the Savannah & Albany Railroad Company, and the Savannah, Albany & Gulf Railroad Company, and to authorize the said company to extend its track to Tybee island.

Mr. Gordon offered the following amendment in the nature of a substitute to the title of said act, which was agreed to:

A bill to be entitled an act to authorize the Savannah, Albany & Gulf Railroad Company to extend its track to Tybee Island, upon certain conditions, and to authorize the Central Railroad & Banking Company of Georgia to extend its track and transfer freight and passengers over said line to Tybee island.

Mr. Gordon offered the following amendment which was agreed to:

SECTION —. *The General Assembly do further enact*, That it shall be lawful for the Central Railroad & Banking Company of Georgia, and that Company is hereby authorized and empowered to extend the track of the Central Railroad and to join and unite the same with the track of the said the Savannah, Albany & Gulf Railroad Company at, in or near to the city of Savannah, and when the track to Tybee island shall be completed, the said the Savannah, Albany & Gulf Railroad Company shall not make any discrimination or regulation in its charges and rates, against the said the Central Railroad & Banking Company of Georgia, nor give any preference to its own transportation whether of freights or passengers, over that of said Central Railroad & Banking Company of Georgia; but all things sent by the said the Central Railroad & Banking Company of Georgia shall be transported over the line to Tybee at the same rates that shall be charged by the said the Savannah, Albany and Gulf Railroad Company on things and passengers coming from the road of the said Savannah, Albany & Gulf Railroad company.

The report as amended was agreed to, the bill was read the third time and passed, and the same was ordered to be transmitted to the House of Representatives forthwith.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives:

A bill to consolidate the offices of Clerks of the Superior and Inferior Courts of the counties of Fayette, Sumter,



Chattahoochee, Terrell, Newton, Meriwether, Franklin and Habersham.

Mr. Wright offered an amendment extending the provisions of this bill to the county of Johnson, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to consolidate the offices of Ordinary and Clerk of the Inferior Court of the county of Gilmer.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to extend the time for the payment of taxes for the year 1861.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to legalize certain acts of the Inferior Courts of the county of Butts the present year, and make the same valid.

The report was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives .

A bill to authorize the Inferior Court of Whitfield county to levy a tax and appropriate the same.

The report was agreed to : the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to amend an act incorporating the city of Dalton.

The report was disagreed to ; the bill was read the third time and lost.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to designate the place of holding sales by Sheriffs, Coroners, Executors, Administrators, &c., in the county of Muscogee.

The report was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives :

A bill to extend the provisions of an act entitled an act to regulate the collecting of Jury fees in the Superior and Inferior Courts of Coweta, Floyd and Cass counties, ap-

proved February 18, 1856; so as to include the county of Whitfield in the provisions of said act, and to add an additional section to provide for the collection of the same.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives:

A bill to allow slaves and free persons of color who may leave this State to return to Georgia.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives:

A bill to provide for the payment by the State of Georgia of the war tax levied by the Congress of the Confederate States, approved August 19, 1861.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives:

A bill to alter the sixth section of an act to amend the Patrol laws of this State, approved February 20th, 1854.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives:

A bill to amend an act to consolidate the offices of Receiver and Collector of Tax Returns in the counties of Tatnall, Lumpkin, and other counties, so far as relates to the county of Gilmer.

This bill on motion was laid upon the table for the present.

The Senate took up as the report of the committee of the whole the following bill from the House of Representatives:

A bill to incorporate the Direct Trading Company of Georgia, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The following resolution from the House of Representatives was taken up, read and concurred in:

WHEREAS, Rev. C. W. Thomas, formerly Chaplain in the U. S. Navy, was the first to resign his position and tender his resignation to the U. S. Government; *And Whereas*, he has not been assigned any position in the service of the Confederate States—

*Therefore Resolved*, That the General Assembly of the State of Georgia do respectfully request the Congress of the Confederate States, or the War Department, to provide for

the said Rev. C. W. Thomas some position either in the army or navy of the Confederate States correspondent to the rank and position held by him in the navy of the United States.

The following message was received from his Excellency the Governor by Mr. Waters his Secretary to-wit :

*Mr. President* :—The Governor has approved and signed the following acts, to-wit :

An act to amend an act incorporating the North Western Bank of Georgia.

An act for the relief of Gabriel Toombs.

An act to alter and amend the several acts incorporating the city of Atlanta, in Fulton county, Georgia.

An act to be entitled an act to alter and fix the times for holding the Superior Courts in the several counties composing the Middle District, and for other purposes connected therewith.

An act to direct and empower the Inferior Court of Sumter county, or a majority thereof, to levy, collect and disburse an extraordinary tax for the support of the indigent families of such soldiers from Sumter county who are now, or may hereafter be absent in the State or Confederate military service, and for other purposes connected therewith.

An act to confer certain powers and impose certain duties upon the Inferior Court of Tatnall county, and to provide for the collection by taxation of money to aid and assist the volunteer company or companies now raised, or to be raised in said county, and to afford such aid to the families of the soldiers absent as be compatible with the resources of the citizens of said county ; which acts I am directed to return to this branch of the General Assembly in which they originated.

On motion of Mr. Lewis, the concurrence of the Senate in the resolution of the House appointing a joint committee to examine into the business of the General Assembly with a view to an early adjournment, was ordered to be transmitted forthwith to the House of Representatives.

The rule being suspended the following bills from the House of Representatives were severally read the first time :

A bill to prevent any person or persons from felling in timbers or otherwise obstructing the current of the Taccoah river in the county of Fannin, and to punish offenders for the same.

Also, a bill to authorize the Justices of the Inferior Court of Catoosa county to stop up a ford across Chickamauga Creek, and to change the road in said county, and for other purposes.

Also, a bill to amend the Certiorari laws of this State.

Also, a bill to repeal so much of an act assented to De-



ember 15th, 1859, as includes the North half of lot of land No. 10, in the 27th district of Sumter county, in the county of Schley.

Also, a bill to incorporate Warehouse, Insurance and Deposit Companies in the cities of Americus and Albany.

Also, a bill for the relief of William E. West, of the county of Polk.

Also, a bill to authorize the Justices of the Inferior Court of Coweta county from time to time to levy and collect such taxes in said county as is hereinafter provided, for the purposes hereinafter provided, and for no other purposes whatever; which shall be known and designated as a tax for supporting the indigent families of soldiers who have or may hereafter go into the actual service of the country, and also for the support of such indigent soldiers who have or may hereafter return home from such service either in a crippled or disabled condition.

Also, a bill to provide for the election of County Treasurer for Ware county, and for other purposes.

#### JUDICIARY REPORTS.

Mr. Vason, Chairman *pro tem*, of the Judiciary Committee made the following report:

A bill to prevent during the existing war monopolies, extortions and speculations in breadstuffs and other articles of general use and consumption and to make such acts criminal, and to provide penalties for the same.

Having had the same under consideration report the same back to the Senate and recommend that the Senate disagree to the House amendment.

Mr. Vason, chairman *pro tem* of the Judiciary Committee, made the following report:

A bill to legalize the proceedings of the southern stockholders of the Brunswick & Florida Railroad Company, to change the name of said Company, and to amend the act of incorporation, to extend the charter thereof, and to facilitate the building thereof.

Having had the same under consideration report the same back to the Senate with amendments, and recommend it do pass.

Also, a bill to authorize Owen C. Pope, a minor, of the county of Washington, to probate and qualify as Executor of the last will and testament of Owen C. Pope, senior; report the same back to the Senate and recommend it do not pass.

On motion the Senate took up the joint resolution relating to the boundary line between the States of Georgia and Florida returned from the House of Representatives with the following amendment, in which the Senate concurred:

The House amended said resolutions by adding the following to the last resolution : " or upon such other terms as will include within the limits of Georgia the lots and fractional lots of land disposed of by the authorities of the State of Georgia."

On motion the Senate took up and concurred in the following resolution from the House of Representatives :

*Resolved*, That the Comptroller General is hereby directed to issue such instructions to Tax Collectors throughout Georgia as will prevent all further proceedings for the sale of lands heretofore held by persons now alien enemies until after this General Assembly shall have taken further action on the subject.

On motion the Senate took up and concurred in the following resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met*, That it is the sense of this General Assembly that the separation of those States now forming the Confederate States of America from the United States is, and ought to be final and irrevocable; and that Georgia will under no circumstances entertain any proposition from any quarter which may have for its object a restoration or reconstruction of the late Union, on any terms or conditions whatever.

*Resolved*, That the war which the United States are waging upon the Confederate States should be met on our part with the utmost vigor and energy until our independence and nationality are unconditionally acknowledged by the United States.

*Resolved*, That Georgia pledges herself to her sister States of the Confederacy that she will stand by them throughout the struggle; she will contribute all the means which her resources will supply, so far as the same may be necessary to the support of the common cause, and will not consent to lay down our arms until peace is established on the basis of the foregoing resolutions.

The rule being suspended the Senate took up as the report of the committee of the whole,

A bill to legalize the proceedings of the southern stockholders of the Brunswick & Florida Railroad company, to change the name of said company, and to amend the act of incorporation to extend the charter thereof, and to facilitate the building thereof.

The Judiciary Committee to whom this bill was referred reported the same back with an amendment, striking out the whole of the fifth section of said act, and recommended that said bill as amended do pass.

Mr. Bell offered the following amendment :

Add before the proviso the following proviso : *Provided*,

that this act shall not be applicable to any land which may have been *bona fide* transferred to any person other than an alien enemy prior to the declaration of war.

On motion of Mr. Seward said bill was re-committed to the Committee on the Judiciary.

The rule being suspended Mr. Mitchell offered the following resolution, which on motion was referred to the Committee on the Military:

*Resolved by the General Assembly of the State of Georgia,* That our Senators and Representatives in the Congress of the Confederate States, be instructed and requested to use their best efforts to have a law passed by the Confederate Congress to raise the compensation of the private soldiers from eleven to fifteen dollars per month, that a copy of this resolution be forwarded to each of said Senators and Representatives.

On motion the Senate adjourned to 3½ o'clock, P. M.

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3½ O'CLOCK, P. M.

The Senate met according to adjournment.

Mr. Boyd, the rule being suspended, offered the following resolution:

*Resolved,* That the regular hour of convening the Senate hereafter shall be 9 o'clock, A. M.

Mr. Gordon moved to amend by inserting 9½ o'clock, which was agreed to.

The resolution as amended was lost.

The Senate took up as the report of the committee of the whole,

A bill to authorize Owen C. Pope, a minor, of the county of Washington, to probate and qualify as Executor of the last will and testament of Owen C. Pope, senior.

The Judiciary Committee to whom the bill was referred reported adversely to its passage.

The report was agreed to, and the bill was lost.

The Senate took up as the report of the committee of the whole,

A bill to prevent during the existing war, monopolies, extortion and speculation in breadstuffs, and other articles of general use and consumption, and to make such acts criminal, and to provide penalties for the same.

The Judiciary Committee to whom the bill was referred, together with an amendment from the House of Representatives, reported against the concurrence of the Senate in the amendment from the House.



Which report was agreed to, and the Senate refused to concur in the House amendment, and the action of the Senate ordered to be transmitted immediately to the House of Representatives.

The Senate took up the resolution of Mr. Bell, declaring all the Judicial offices of the State vacated by the adoption of the new Constitution, and recommending the Executive to make appointments accordingly.

After discussion the resolution was made the special order for Monday 12 o'clock.

The Senate then adjourned till 10 o'clock, Monday morning.

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MONDAY, DECEMBER 9TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Mosely.

On motion, leave of absence was granted to Mr. Stafford, after Friday next, on special business.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate—

An act to authorize and require the Treasurer of the State to make an advance to the State Printer.

An act to give the several Justices' Courts of this State jurisdiction in cases sounding in damages, in certain cases.

On motion, leave of absence was granted Mr. Thomas Hilliard from Saturday, 7th, for indisposition.

On motion, leave of absence was granted to Mr. Fort, after to-day, for the balance of the session, on account of disturbances on the coast.

The following bills from the House of Representatives were severally read the second time:

A bill to repeal so much of an act assented to December 15th, 1859, as includes the north half of lot of land No. 10, in the 27th district of Sumter county in the county of Schley.

Also, a bill for the relief of Wm. E. West, of the county of Polk.

Also, a bill to incorporate the Ware House Insurance & Deposit Companies in the cities of Americus and Albany.

Also, a bill to authorize the Justices of the Inferior Court of Catoosa county to stop up a ford across Chickamauga

Creek, and to change the road in said county, and for other purposes, which was referred to the Judiciary Committee.

Also, a bill to authorize the Inferior Court of Coweta county to levy an extra tax, &c.

Also, a bill to amend the Certiorari laws of this State.

Also, a bill to prevent any person or persons from felling in timbers or otherwise obstructing the current of To-coah River, in the county of Fannin, and to punish offenders for the same.

Also, a bill to provide for the public defence, and for other purposes; which was referred to the Military Committee.

Also, a bill to provide for the election of County Treasurer for Ware county, and for other purposes.

The Senate took up as the report of the committee of the whole, the following bill from the House of Representatives:

A bill to repeal the 14th section of an act entitled an act to incorporate the town of Valdosta in the county of Lowndes, and for other purposes therein mentioned.

Mr. Gibson offered the following amendment, which was agreed to:

Sec. *The General Assembly do further enact*, That Porter Fleming, Hamilton H. Hickman, Sidney C. Warren, J. Samuel Wilcox, Jesse A. Ansley, William A. Walton, and Joseph B. Cumming, and their successors in office, be, and they are hereby made a body corporate and politic, by the name and style of the Summerville Academy, with power and authority, by said corporate name, under a common seal or otherwise, to purchase, lease, or otherwise acquire, and hold for educational purposes, all kinds of property, real and personal, to make all needful by-laws, rules, and regulations for the government of said Academy, not repugnant to the Constitution of this State, or of the Confederate States—contract and be contracted with, sue and be sued, plead and be impleaded in the several courts of law and equity in this State; and to exercise such other rights, powers, and emmunities and privileges as may be consistent with the objects of education.

Sec. *The General Assembly do further enact*, That the persons named in the foregoing section of this act be, and they are hereby constituted the Trustees of said Academy, with power as such, to do and perform every act that may be expedient or necessary in controlling and superintending its interests under such rules and regulations as they or a majority of them may prescribe, and in like manner fill any vacancy that may occur in their Board of Trustees by death, resignation, or otherwise.

The report as amended was agreed to; the bill was read the third time and passed, and ordered to be transmitted to the House forthwith.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President:*—The House of Representatives has passed the following bill, to-wit:

A bill entitled an act to incorporate the village of Summerville in the county of Richmond, to provide for the election of commissioners for the same, to prescribe their powers and duties, and for other purposes.

The following bill from the House of Representatives was read the first time:

A bill to incorporate the village of Summerville in the county of Richmond, to provide for the election of commissioners for the same, to prescribe their powers and duties, and for other purposes.

Mr. Jackson offered the following resolution, which was read and agreed to:

*Resolved*, That as there are many census takers who performed the duties of their office of census taker for their respective counties, in taking the census for the old United States, before the separation of the State of Georgia from the old Union; and

*Whereas*, on account of the withdrawal of the State from the old Union, the authorities of the old United States has refused to pay them for the services rendered in taking the census of this State, be it

*Resolved*, That we do most respectfully call the attention of our members in Congress at Richmond, Virginia, to take into consideration and make provision for the payment of such as have not received their compensation for such services rendered.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington:

*Mr. President:*—I am instructed by the House of Representatives to inform the Senate that they have passed the following bills, to-wit:

A bill entitled an act to repeal an act entitled an act to authorize the Inferior Court of Ware county to assess an extra tax for the purpose of building a Court House in said county, and for other purposes.

Also, a bill to be entitled an act to incorporate the Planters Insurance Trust & Loan Company, and to confer certain powers and privileges thereon.



The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President* :—The House of Representatives has passed the following bill of the Senate, to-wit :

A bill to be entitled an act to provide for the relief of the people of Georgia from pecuniary embarrassments occasioned by the pending war.

The rule being suspended, the Senate took up the resolution respecting the tenure of the office of the several Judges of this State.

On the question of adopting said resolution, the yeas and nays were recorded, and were yeas 15, nays 21.

These who voted in the affirmative were :

Messrs. Bell, Boyd, Fletcher, Fort, Gaston, Gibson, Griffin, Lane, McKee, Mosely, Seward, Simmons, Stephens, Swearingen, Ware.

Those who voted in the negative were :

Messrs. Alexander, Beasley, Bothwell, Brown, Dyer, Echols, Furlow, Gordon, Hansell, Harris, Hill, Jas. Hilliard, Jackson, Jamison, Kendall, Killen, Lewis, Mitchell, Stafford, Vason, Winn.

Yeas 15 ; nays 21. So the motion to agree to said resolution was lost.

The rule being suspended, on motion the following bill from the House of Representatives was taken up, and read the first time :

A bill to provide for the relief of the people of Georgia from pecuniary embarrassment, occasioned by the pending war.

The rule being suspended, the Senate took up the resolution respecting the increase of the pay of private soldiers from 11 to 15 dollars per month.

The Committee on the Military, to whom said resolution was referred, reported the same back to the Senate, with a recommendation that it be adopted.

In accordance with said recommendation said resolution was adopted.

On motion the Senate adjourned till half-past three o'clock P. M.

## AFTERNOON SESSION, THREE O'CLOCK, P. M.

The Senate met according to adjournment.

The following bills from the House of Representatives were taken up, and severally read the first time:

A bill to incorporate the Planters' Insurance Trust and Loan Company.

Also, an act to repeal an act entitled an act to authorize the Inferior Court of Ware county to assess an extra tax for the purpose of building a Court House in said county, and for other purposes.

The Senate took up as the report of the committee of the whole, the following bill from the House of Representatives:

A bill to amend an act to consolidate the offices of Receiver and Collector of Tax returns in the counties of Lumpkin, Tatnall, and other counties, so far as relates to the county of Gilmer.

On motion this bill was laid upon the table for the balance of the session.

The rule being suspended, Mr. Jackson offered the following resolution, which was taken up, read, and laid over until to-morrow, to-wit:

*Whereas*, By taking up the unfinished business of this session at the commencement of the next, there will be a great saving of labor to the members and of money to the State, therefore,

*Resolved*, by the General Assembly of Georgia, That the rules of the Senate and House of Representatives be so amended as to make the unfinished business of this session the regular order of the next, and that the bills and resolutions not acted on during this session, shall be taken up at the commencement of the next session and acted on in their regular order as they stand upon the calander.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk:

*Mr. President*:—The House of Representatives have concurred in the amendment of the Senate to a bill to be entitled an act to consolidate the offices of Clerks of the Inferior and Superior Courts of the counties of Fayette, Sumter, Chattahoochee, Terrell, Newton, Merriwether, Franklin, and Habersham.

The rule being suspended, Mr. Hansell offered the following resolution, which was adopted:

*Resolved*, by the Senate and House of Representatives, That his Excellency the Governor be, and he is hereby request-

ed to have the warrants of the President of the Senate and Speaker of the House of Representatives for the payment of the members and officers of the General Assembly printed as an appendix to the Journals of this session.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to consolidate the offices of Ordinary and Clerk of the Inferior Court of the county of Gilmer.

An act to incorporate the Direct Trading Company of Georgia, and for other purposes.

An act to extend the provisions of an act entitled an act to regulate the collection of Jury fees in the Superior and Inferior Courts in the counties of Floyd, Coweta, and Cass, approved February 18th, 1856, so as to include the county of Whitfield, and to add another section to provide for the collection of the same.

An act to alter the sixth section of an act to amend the patrol laws of this State, approved February 20th, 1854.

An act to designate the place of holding sales by Sheriffs, Coroners, Executors, Administrators, &c., in the county of Muscogee.

An act to allow all slaves and free persons of color who may leave this State in the service of any person, or connected with the military service, to return to the State of Georgia.

An act to extend the time for the payment of taxes for the year 1861.

An act to provide for the payment by the State of Georgia of the war tax levied by the Congress of the Confederate States, approved of August 19th, 1861.

An act to legalize certain acts of the Inferior Court of the county of Butts for the present year, and make the same valid.

Also, the following resolutions:

A resolution in relation to appointing C. W. Thomas chaplain in the army.

Also, resolutions to the Comptroller General.

Also, a resolution declaring Georgia's unalterable intention to prosecute the present war to a successful termination.

Mr. Bell offered the following resolution:

*Resolved*, That the Senate will adjourn *sine die* on Saturday next, 14th of December.

Mr. Mosely offered the following amendment, which was lost:



Strike out the words "*sine die*," and insert in lieu thereof, "the first Wednesday in November next."

On motion of Mr. Vason said resolution was laid upon the table for the present.

On motion the Senate then adjourned until 10 o'clock to-morrow morning.

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TUESDAY, DECEMBER 10TH, 1861. }  
10 O'CLOCK A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Adams.

On motion, leave of absence was granted to Mr. Anthony and Mr. McRae for indisposition.

The Senate took up, severally, as the report of the committee of the whole, the following bills from the House of Representatives :

A bill to incorporate Ware House Insurance & Deposit Company, in the city of Americus and Albany.

The report was agreed to ; the bill was read the third time and passed.

A bill to authorize the Inferior Court of Coweta county to levy an extra tax, &c.

The report was agreed to ; the bill was read the third time and passed.

A bill to provide for the election of county Treasurer for the county of Ware, and for other purposes.

The report was agreed to ; the bill was read the third time and passed.

A bill to amend the Certiorari laws of this State.

The report was agreed to ; the bill was read the third time and passed.

A bill for the relief William C. West of the county of Polk.

On motion this Bill was referred to the committee on the Judiciary.

A bill to prevent any person or persons from felling in timber, or otherwise obstructing the current of Taccoah River, in the county of Fannin, and to punish offenders for the same.

The report was agreed to ; the bill was read the third time and passed.

A bill to repeal so much of an act, assented to December 15th, 1859, as includes the North half of lot of land No. 10, in the 27th district Sumter county, in the county of Schley.

The report was agreed to : the bill was read the third time and passed.

On motion of Mr. Jackson, all bills passed by the Senate are ordered to be transmitted forthwith to the House of Representatives.

Mr. Killen, chairman of the committee on the Military, made the following report :

*Mr. President* :—The committee on the Military, to whom was referred a bill passed by the House of Representatives, to be entitled an act to provide for the public defence, and for other purposes ; have had the same under consideration, together with two messages from his Excellency Governor Brown, one accompanied by certain resolutions, purporting to have been adopted at a meeting of the officers of Col. E. W. Chastain's Regiment of State volunteers, all relating to the objects and nature of said bill, and which were likewise referred to said committee, and direct me to report said bill back to the Senate with a substitute in the nature of an amendment, to be entitled an act to appropriate money to the support of the military defence of the State for the year 1862, and for other purposes—recommend that the substitute, in lieu of the original, do pass.

Mr. Vason, of said committee, made the following minority report :

The undersigned begs leave to present a minority report and submit a few reasons for not being able to concur in the recommendation of the majority.

Upon a careful analysis of the bill of the House of Representatives and the substitute therefor recommended by the majority, it will be seen that the only material difference between them, is the stipulation of the House bill, requiring the Governor to tender our troops to the President for the Confederate service, for local defence, and on such terms as is provided for or may be provided for by the Confederate Congress.

This bill does not contemplate (as some suppose,) to interfere with the terms of engagement made by the troops with the State at the time they entered into the service.—They will, if received into the Confederate service, be retained on the coast, in defence of the property of their own people, and cannot be removed out of the limits of this State. Their time cannot be extended beyond the period for which they tendered, and were received. The officers of their own selection will be retained in command of their companies, battalions and regiments ; and, indeed, the only change which will take place, will be that their General officers for whom they have not been allowed to vote, but were chosen and selected for them in compliance with the

law, may be displaced, or retained, as the President may determine, and they will receive their pay and rations from the Confederate, instead of from the State Treasury. They will be under the command of the President as Commander-in-chief of the Confederate States, and not exclusively under the command of the Governor of Georgia as the commander of the militia; now they are part and parcel of the militia, organized under the act of 1860, called out to repel invasion—then they will be a part of the great army of this young, but great nation, whose gallant sons on the battle-field have proved themselves to be worthy of the association of the heroes of any age.

It is apprehended that our troops may complain of the change; that, as they have engaged to serve the State, they would be unwilling to be transferred to the Confederate service. This apprehension is unfounded. I know the material of which this army is composed. They did not leave their homes and the sweet society of loved ones there, for the purpose of contributing to the elevation of any man or set of men. Theirs was a higher, a more noble ambition—it was to serve a country that they loved, whose land was threatened with danger by an invading foe. It is not certain but that they may be under the command of the same distinguished Generals to whom they now feel so much attached. The acts of Congress does not allow the President to receive troops in brigades or divisions, but he is authorized to take them organized in regiments with all their field officers, and they will then, by his order, be formed into regiments and divisions, for the command of which he will appoint Generals, and in making these selections, he will not fail to remember the names of these distinguished Generals, whose promotion would give so much satisfaction to these troops, as well as to the great body of the people of this State. Whilst such a selection would be gratifying to us all, yet we should not fail to remember, that the Constitution and laws, of our own making, have confided this matter to the sound discretion of the President; to him has it been confided, and the recent verdict of the people on retaining him in office by a unanimous vote, has settled the question, that this power is in safe hands, he will do what is right. But, it is suggested that many of these companies do not contain the minimum number of privates as fixed by the acts of the Confederate Congress. If his Excellency, in the organization of these troops, then had it in contemplation to tender them to the Confederate Government—it is unfortunate that he did not so manage as to avoid this obstacle. But it is apprehended that but little exertion will be necessary to fill up the ranks with recruits, and thus this difficulty can be obviated. This has been done; it may be done again. The duty of defending the State of Geor-



gia is imposed upon the Confederate Government. This obligation she has not failed to discharge. She loves Georgia and will defend her. Troops are now being ordered to our coasts from other States, and it is, therefore, unreasonable to suppose that our troops will be rejected if tendered as proposed in the House bill. The Constitution has wisely delegated the war making and war waging power to the Confederate Government. It is true, that the States have reserved the power not to "make war," but to "repel invasion," or "engage in war when such imminent danger of invasion as will not admit of delay." The State can make her defence, for herself, only temporarily. As soon as the Confederate Government can come to her relief, it is her duty to do it, and her power is plenary ; for the Constitution delegates to Congress the power "to provide for the calling forth the militia to execute the laws, suppress insurrection, and repel invasion." This power is not divided, except as thus stated. There must be a head in all Governments, or there will be no concert, no harmony. There cannot be two armies in the same field without one common head ; one or the other must yield or there must be a conflict.

It is doubtful whether a State can raise and support an army. This power is delegated to Congress, and the States are inhibited from "keeping troops or ships of War" in time of peace. She may in time of war, "not raise and support an army," but keep troops for the purpose of enabling her to repel an invasion, or to be prepared to respond to a requisition from the Confederate Government. These troops, she may keep as auxiliary to, but not independent of, the Confederate Government.

But, the House bill does not concede this much to the Confederate Government ; it authorizes the Governor to keep and maintain this army for the defence of the State, and gives him five millions of dollars for that purpose, even though the Confederate Government should decline to receive them. It does not propose to leave Georgia undefended, under any circumstances. It only proposes that we shall call on the Confederate Government to discharge its duty to Georgia, by adopting these troops, and supporting them out of the Confederate Treasury, and in the event that she is unable or unwilling so to do, the means are abundantly provided out of the State Treasury. Should she refuse so to do, the outlay of five millions of the money of our people, which we will then expend, will be a high and sacred debt, which would be paid by the Confederate Government. Should we expend these five millions of money without making a tender, we could have no guaranty that this money would ever be refunded. She could reply in answer to such a claim that she had the money and means to make this defence for us, and this outlay was made without her

approval or consent. A little caution and prudence, now observed, may save us from years of angry feeling and strife with our Government.

The substitute of the committee is thus wanting in prudence and caution—evinces a want of attachment for, and confidence in, the faithfulness and integrity of the Confederate Government, and assumes that she has proven derelict and forgetful of her obligation; all serious and grave charges, and not justified by any action of that Government, or any of its officers:

Our people are liberal as well as brave. They are willing in these hard times to sanction the appropriation of "millions for defence;" but the representative before he casts his vote for such sums of his peoples' money, ought to be prepared to show them that "it was needful to be done." I do not propose that we should falter one moment in our purpose to afford adequate protection to the property and lives of our citizens or to stop to count the costs, when the enemy are thundering at our gates; but the House bill proposes to place at the control of the Executive, one and one-half millions more of the peoples' money than he has called for in his message. It only observes the wise and prudent counsels set forth in the resolution of the Senate, adopted after due consideration and transmitted to the House for their concurrence. I have seen no good reason to change my opinions formed and expressed when I voted for these resolutions. Subsequent reflection and developments which have occurred, have only confirmed me that their resolve were the result of wise counsels, and I urge the Senate to maintain them with becoming firmness.

For reasons satisfactory to myself, some of which are thus indicated, I have not been able to concur in the report of the majority, as I should have taken pleasure in doing, did my sense of public duty justify. I do, therefore, recommend the adoption of the House bill by the Senate,

Which is respectfully submitted.

(Signed)

D. A. VASON.

On motion of Mr. Seward, the Senate took up as the report of the committee of the whole, the bill mentioned in the report of the committee on the military.

Mr. Bell moved to adopt the minority report of Mr. Vason in lieu of the majority report, which motion was not agreed to.

On motion, the amendment reported by the committee on the military, as an amendment in the nature of a substitute for the original bill, was agreed to.

Mr. Lewis moved to amend by substituting the following bill in lieu of the bill reported by the committee on the Military, to-wit:

A bill to be entitled an act to raise funds and provide for public defence, and for other purposes ;" which motion was lost.

Mr. Hansell offered the following amendment, which was lost :

After the word "Treasurer," insert, or such other person or persons as the Governor may appoint thereto, whose appointment shall be published in various newspapers throughout the State.

Mr. Vason offered the following amendment, which was lost :

That before any of the Treasury Notes or Bonds shall be issued under the bill, the Governor shall place all the troops in the field under the command of the President of the Confederate States for the defence of Georgia.

The report was agreed to.

On the passage of the bill, the yeas and nays were required to be recorded, and were yeas 30, nays 3.

Those who voted in the affirmative were—

Messrs. Beasley, Bell, Bothwell, Boyd, Brown, Dyer, Echols, Fletcher, Furlow, Gaston, Gibson, Gordon, Griffin, Hansell, Harris, Hill, James Hilliard, Jackson, Jamison, Kendall, Killen, Lane, Lewis, Mosely, Seward, Simons, Stafford, Stephens, Ware, Winn.

Those who voted in the negative are—

Messrs. Alexander, Mitchell, Vason.

Yeas 30; nays 3. So the bill was passed.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President:* The House of Representatives have concurred in the amendments of the Senate to a bill to be entitled an act to repeal the fourteenth section of an act entitled an act to incorporate the town of Valdosta in the county of Lowndes, and for other purposes therein mentioned.

The House of Representatives have, also, concurred in the amendment of the Senate to a bill to be entitled an act to aid The Georgia Relief & Hospital Association, and to appropriate money therefor.

A bill to be entitled an act to prevent during the existing war, monopolies and speculations in breadstuffs and other articles of general use and consumption.

Except the amendment which reads as follows, to-wit :

That the one hundred thousand dollars of the nett earnings of Western & Atlantic Railroad, which were appro-



priated to the purposes of education, by the first section of an act, assented to Dec. 11, '58, and entitled an act to provide for the education of the children of this State, between certain ages, and to provide an annual sinking fund for the extinguishment of the public debt, be and the same is hereby set apart and appropriated for the purpose of meeting one-half the demand incurred by the provisions of this act, any law to the contrary notwithstanding;" and they respectfully request the Senate to recede from said amendment.

The House of Representatives refuse to recede from their amendment to the following bill of the Senate, to-wit:

The House of Representatives have also passed the following bills to-wit:

A bill to be entitled an act to authorize the manufacture and purchase of arms for the public defence, and to appropriate money for the same.

Also, a bill to appropriate extra compensation to John H. Seals for the publication of the Code of Georgia.

Also, a bill, of the Senate, to be entitled an act for the relief of Andrew M. Hamilton of the county of Whitfield, from the payment of a certain judgment and forfeiture rendered against him.

Also, a bill to be entitled an act to appropriate money for the State Lunatic Asylum for the year 1862, and for other purposes.

The House of Representatives have also concurred in the amendments of the Senate, to a bill to be entitled an act to amend the several acts relating to the Savannah Railroad Company, and the Savannah Albany and Gulf Railroad Company, and to authorize said Company to extend its track to Tybee Island.

Before the Senate had acted on the bill to provide for the public defence, Mr. Moseley submitted, by leave of the Senate, the action of a public meeting of the citizens of Griffin, and Spaulding county generally, protesting against the tender of troops as proposed by said bill, which was read.

The rule being suspended, on motion, the following resolution from the House of Representatives was taken up, read and concurred in:

*Resolved*, That the General Assembly do adjourn *sine die*, on Saturday the 14th inst., and ordered to be transmitted to the House forthwith.

Mr. Dyer, Chairman of the committee on enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to consolidate the offices of Clerks of the Superior and Inferior Courts of the counties of Fayette, Sum-

ter, Chattahoochee, Terrell, Newton, Merriwether, Franklin, Habersham and Johnson.

Also, reports as duly enrolled and ready for the signature of the President of the Senate, Resolutions relating to the boundary line of Georgia and Florida.

The following message was received from the House of Representatives, by their Clerk, *pro tem.*, Mr. Estes :

*Mr. President* :—I am instructed by the House of Representatives to inform the Senate that they have passed the following bills, to-wit :

A bill to be entitled an act to compel non-residents to pay tax on cattle and sheep in the county of Colquitt.

Also, a bill to be entitled an act to authorize B. P. Key, of the county of Jasper, his heirs and assigns, to extend and keep up a dam across the Ocmulgee River.

Also, a bill to be entitled an act to appropriate money to pay certain debts contracted on the faith of the State for the State Lunatic Asylum for the year 1861.

Also, a bill to be entitled an act to abolish the office of country Treasurer of Stewart county, and for other purposes.

The House has also adopted a resolution looking to adjournment, *sine die*, on Saturday the 14th inst.

The rule being suspended, the Senate took the following bill from the House of Representatives, with a message announcing the determination of the House not to concur in a Senate amendment, to-wit :

A bill to aid the Georgia Relief and Hospital Association, and to appropriate money therefor.

On motion, the Senate receded from its amendment, and ordered said bill to be transmitted to the House forthwith.

The following message was received from the House of Representatives, by Mr. Estes their Clerk, *pro tem.* :

*Mr. President* :—The House of Representatives have passed the following bills, to-wit :

A bill to be entitled an act to provide for the appointment of a Compiler of the public laws.

Also, a bill to be entitled an act to authorize the Inferior Court of the county of Coffee, to have said county laid off in School districts, and the Ordinary of said county herein directed to proportion out the school fund in pro rata to each district.

Also, a bill to be entitled an act to amend the Military laws of this State.

Also, a bill to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes therein named.

Also, a bill to amend the Tax laws of this State.



The following bills from the House of Representatives were severally read the second time :

A bill to provide for the Relief of the people of Georgia from the pecuniary embarrassments occasioned by the pending war.

A bill to incorporate the Planters' Insurance Trust and Loan Company.

A bill to incorporate the village of Summerville in the county of Richmond, to provide for the election of Commissioners for the same; to prescribe their powers and duties, and for other purposes.

A bill to repeal an act entitled an act to authorize the Inferior Court of Ware county to assess an extra tax for the purpose of building a Court House in said county, and for other purposes.

The following message was received from the House of Representatives by Mr. Estes, their Clerk, *pro tem.* :

*Mr. President* :—I am instructed by the House of Representatives to inform the Senate that they have refused to concur in the Senate's amendment to a bill to be entitled an act to provide for the public defence, and for other purposes; and they respectfully ask the Senate to recede from their amendment to the same.

The following bills from the House of Representatives were severally read the first time :

A bill to provide for raising a revenue for the political year eighteen hundred and sixty-two, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes therein named.

A bill to amend the Tax laws of this State.

A bill to authorize the manufacture and purchase of arms for the public defence, and to appropriate money for the same.

A bill to appropriate extra compensation to John H. Seals for the publication of the Code of Georgia.

A bill to abolish the office of county Treasurer of Stewart county, and for other purposes.

A bill to amend the Military laws of this State.

A bill to provide for the appointment of a Compiler of the laws, &c.

A bill to authorize the Inferior Court of the county of Coffee to have said county laid off in school districts, and the Ordinary of said county herein directed to proportion out the school fund in pro rata to each district.

A bill to appropriate money to the State Lunatic Asylum for the year 1862, and for other purposes.

A bill to compel non-residents to pay tax on cattle and sheep in the county of Colquitt.



A bill to appropriate money to pay certain debts contracted on the faith of the State for the State Lunatic Asylum for the year 1861.

A bill to authorize B. P. Key, of the county of Jasper, his heirs and assigns, to extend and keep up a dam across the Ocmulgee river.

A bill to authorize James Pollard, Executor of the estate of Britain C. Pollard, deceased, to pay to John T. Pollard, one of the minor heirs of Britain C. Pollard, his distributive share of said estate, and to authorize D. M. McNiel to receive and receipt for the same.

The rule being suspended the Senate took up the Message of the House of Representatives as far as relates to

The bill to be entitled an act to prevent during the existing war, monopolies and speculations in breadstuffs and other articles of general use and consumption, for which the House passed an amendment in the nature of a substitute, in which the Senate refused to concur and the House refused to recede; being under consideration the Senate passed the following resolution:

*Resolved by the Senate the House concurring,* That a committee of Conference of three from each House, be appointed to report a bill as a substitute for both bills, and they be instructed to report at their earliest convenience.

On motion, the Senate adjourned till 3½ o'clock P. M.

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#### AFTERNOON SESSION, 3½ O'CLOCK P. M.

The Senate met according to adjournment,

The President appointed as the committee of Conference between the Senate and House of Representatives on the monopoly bill:

Messrs. Harris, Bell, and Vason, on the part of the Senate.

On motion the Senate took up the message of the House of Representatives, so far as relates to their refusal to concur in the Senate amendment to the bill to provide for the public defence, and for other purposes.

On motion the Senate insisted on said amendment, and ordered notice thereof to be communicated to the House forthwith.

Mr. Dyer, Chairman of the committee on Enrollment, reports as duly enrolled and ready for the signature of the President:

An act for the relief of Andrew M. Hamilton, of the county of Whitfield, from the payment of a certain judgment and forfeiture rendered against him.

REPORT OF THE JOINT COMMITTEE ON THE  
LUNATIC ASYLUM.

The joint committee of the Senate and House of Representatives on the Lunatic Asylum beg leave to report as follows :

They congratulate the General Assembly on the prosperous condition of this important Institution ; by which they mean to say, that in all its departments and details, said Asylum seems to be managed with remarkable system, prudence and skill.

The recent improvements, as now completed, not only impart a grand and imposing appearance to the entire structure, but are admirably arranged for the proper classification and convenience of patients. Every contrivance of art and skill, to insure comfort, promote economy, prevent accidents and escapes, recreate the mind, and effect mental restoration, in all cases, seems to have been brought into the most skillful requisition. The perfect cleanliness of every floor and room, as well as the kind and watchful attention of attendants everywhere exhibited, deserve unqualified commendation.

It is the sentiment and conviction of every member of your committee, that Georgia expended her funds wisely in establishing this noble Institution for the unfortunate class of her children for whom it was designated. Really, it cannot be appreciated fully unless examined and inspected.

Your committee trust that the demand for its maintenance herein presented will command the approval of the General Assembly.

For the last year \$12,000 was appropriated for the payment of the salaries of Trustees, Treasurer, subordinate officers, and attendants, and for servants' hire. No more is demanded for the present year, though this amount has been found heretofore inadequate, and the number of patients largely increased. In view of our political troubles, the Superintendent is making every effort to accommodate expenditures to the stringency of the times, and hence demands nothing additional in this report.

He does, however, recommend an increase of the annual appropriation for support of pauper patients as made last year. In 1861, there was an appropriation of \$15,000, which was found inadequate to the support of pauper patients for that year. The authorities of the Institution were compelled to purchase the necessities of life to the amount of \$6,764.54, which, being due and unpaid, the faith of the State is bound therefor. This statement, we submit, is argument sufficient for any Legislator. For other articles only purchasable by cash, the State Treasurer, under order of the Governor, advanced the sum of \$3,178.25, which should be legalized, especially as it is proposed to refund

said amount out of the first available funds of said Institution.

In conclusion, your Committee tender to Dr. Green, the efficient and obliging Superintendent of the Asylum, their thanks, for his uniform courtesy and full explanations.— His devotion to this Institution, in all its parts and interests, is marked and proverbial. His zeal and energy induced the commencement of the recent improvements, and they have progressed and been completed under his immediate supervision. As a matter of course, his labors and responsibilities have been largely increased with the multiplication of details, and the large accession of patients in the Asylum. The position of Superintendent requires a high order of scientific and practical ability, a strict attention to details, and a willingness to submit to all kinds of annoyance and peril. In all these respects, we consider the present incumbent peculiarly fitted, and would regret any change, or attempt to change, his present salary.

J. B. KENDALL, Chairman Senate Committee.

L. H. BRISCOE, Chairman House Rep. Com.

The following message was received from the House of Representatives by their Clerk, *pro tem*, Mr. Estes :

*Mr. President*: I am directed by the House of Representatives to inform the Senate that the House insists on its disagreement to the Senate amendment to the bill to be entitled an act to provide for the public defence, and for other purposes, and have directed me to transmit the same to the Senate.

Mr. Seward, Chairman of the Judiciary Committee, made the following report :

A bill to amend an act entitled an act to provide a more easy and convenient mode of proving open accounts in Justices' Courts. approved December 26th, 1827.

Having had the same under consideration, report the same back to the Senate, and recommend that it do not pass.

Also, a bill to legalize the proceedings of the southern stock-holders of the Brunswick & Florida Railroad Company, to change the name of said company, and to amend the act of incorporation, to extend the charter thereof, and to facilitate the building thereof, report the same back to the Senate, with amendments, and recommend that it do pass.

Also, a bill to fix the amount of the bond of the Tax Receiver and Collector of the county of Richmond, and for other purposes, report the same back to the Senate, with a substitute for the original bill, and recommend that the substitute do pass instead of the original bill.

Also, a bill to authorize the Justices of the Inferior Court of Cataosa county to stop a ford across Chickamauga Creek, and to change the road in said county, and for other pur-



poses, report the same back to the Senate, and recommend it do not pass.

The rule being suspended, the Senate took up as the report of the committee of the whole, severally, the following bills:

A bill to amend an act entitled an act to provide a more easy and convenient mode of proving open accounts in Justices' Courts, approved December 26th, 1827.

The Judiciary Committee to whom this bill was referred, reported adversely to its passage.

The report was agreed to, and the bill was lost.

Also, a bill to legalize the proceedings of the Southern stockholders of the Brunswick & Florida Railroad Company to change the name of said Company, and to amend the act of incorporation, to extend the charter thereof, and facilitate the building thereof.

The Judiciary Committee to whom this bill was referred, reported the same back to the Senate, with the following amendments, and recommended that so amended, the bill do pass:

Strike out the whole of the 5th section, and insert in lieu thereof:

*Be it further enacted*, That this road shall never be abandoned or destroyed without the consent of a majority of the individual Southern stockholders of said Company.

By adding before the proviso the following proviso:

*Provided*, That this shall not be applicable to any bond which may have been *bona fide* transferred to any person other than an alien enemy prior to the declaration of war.

Both of said amendments were agreed to.

The report as amended was agreed to; the bill was read the third time and passed.

Also, a bill to fix the amount of the bond of the Tax Receiver and Collector of the county of Richmond, and for other purposes.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

Also, a bill to authorize the Justices of the Inferior Court of Chatoosa county to stop a ford across Chickamauga Creek, and to change the road in said county, and for other purposes.

The report was agreed to; and the bill was lost.

The following message was received from the House of Representatives by Mr. Estes, their Clerk *pro tem*:

*Mr. President:* The House of Representatives have passed the following bills, to-wit:

A bill to encourage the improvement of stock in this State.

Also, a bill to be entitled an act to encourage the manufacture of salt within the limits of the State of Georgia, and for other purposes.

Also, a bill to change the time of holding the Superior Courts of the county of Putnam.

Also, a bill to give equal fishing privileges to all persons owning or living on water courses.

The Senate, on motion, took up the preamble and resolutions respecting the currency and the purchase of cotton.

The Committee on the state of the Republic reported adversely to said resolution.

The report was agreed to, and the resolution was not agreed to.

*Mr. Dyer*, chairman of the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate:

A act to aid the Georgia Relief & Hospital Association, and locate the same, and appropriate money therefor.

The rule being suspended, the Senate took up so much of the message of the House of Representatives as relates to the refusal of the House to concur in a Senate amendment to the bill to provide for the public defence, and for other purposes, after the Senate had voted to insist upon said amendment.

On motion the Senate adjourned till 7 o'clock, P. M.

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7 O'CLOCK, P. M.

The Senate met according to adjournment, and resumed the consideration of the unfinished business of the last adjournment,

On the question of receding from the amendment, the yeas and nays were recorded, and were yeas 12, nays 18.

Those who voted in the affirmative were—Messrs.:

Alexander, Bell, Bothwell, Boyd, Dyer, James Hilliard, Lane, Lewis, Simmons, Stephens, Swearengin, Vason.

Those who voted in the negative were—Messrs.:

Beasely, Brown, Fletcher, Furlow, Gaston, Gibson, Gor-

don, Griffin, Hansell, Harris, Hill, Jackson, Kendall, Killen, Mosely, Seward, Ware, Winn.

Yeas 12, nays 18. So the Senate refused to recede.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk:

*Mr. President:* The House of Representatives have concurred with the Senate in the appointment of a committee of conference on the bill to be entitled an act to prevent, during the existing war, monopolies and speculations in bread stuffs and other articles of general use and consumption, and have appointed on the part of the House—

Messrs. Moore, of Thomas, Lester, Love, Black, and Hook.

Mr. Gordon offered the following resolution, which was agreed to .

*Resolved,* That the Senate adhere to its amendment, but recommend that a committee of conference be appointed and request the House to appoint a like committee.

Whereupon the President appointed the following committee on the part of the Senate :

Messrs. Gordon, Seward, Vason, Lewis, Gibson, and ordered the same to be transmitted forthwith to the House of Representatives.

The following bills from the House of Representatives, were taken up, and severally read the first time :

A bill to give equal fishing privileges to to all persons owning or living on water courses.

A bill to encourage the improvement of stock in this State.

A bill to encourage the manufacture of salt within the limits of the State of Georgia, and for other purposes.

A bill to change the time of holding the Superior Courts of the county of Putnam.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate—

An act to repeal so much of an act assented to December 15th, 1859, as includes the north half of lot of land No. 10, in the 27th district of Sumter county in the county of Schley.

An act to provide for the election of County Treasurer for Ware county, and for other purposes.

An act to amend the Certiorari laws of this State.



An act to prevent any person or persons from felling in timber or otherwise obstructing the current of the Taccoah River, in the county of Fannin, and to punish offenders for the same.

An act to incorporate Ware House, Insurance, and Deposit Companies in the cities of Americus and Albany.

An act to authorize the Savannah Albany & Gulf Railroad Company to extend their track to Tybee Island, upon certain conditions, and to authorize the Central Railroad & Banking Company of Georgia to extend its track and to transport freight and passengers over said line to Tybee Island.

Also, a resolution on adjournment.

On motion the Senate adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 11TH, 1861, }  
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Mosely.

On motion of Mr. Gordon, the Senate Committee of Conference on

The bill to provide for the public defence, and for other purposes, had leave of absence for the purpose of meeting the House Committee on the same subject.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit :

*Mr. President:*—The House of Representatives have passed the following bills, which I am directed to transmit forthwith to the Senate, to-wit :

A bill to be entitled an act to authorize the Superintendent of the Western & Atlantic Railroad to issue change bills, and for other purposes.

A bill to be entitled an act for the relief of Abner Hern, of Miller county, and Wesley Shuffield, of Early county, and to appropriate money for the same.

A bill to be entitled an act to regulate the collection of Jury fees in the Superior and Inferior Courts of the counties Talbot, Chattahoochee, Putnam, Habersham, Polk, Bibb, and Dougherty.

A bill to be entitled an act to prescribe the proof in certain cases of open accounts in the several Courts of this State.

A bill to be entitled an act to incorporate the Confederate Fire and Marine Insurance Company of Atlanta.

A bill to be entitled an act to authorize John W. Wyley to draw the educational fund of Habersham county, and pay the same to the Board of Education of said county,

A bill to be entitled an act to legalize the adjournment of the Superior Courts of the counties of Habersham and Banks.

A bill to be entitled an act to legalize the orders and judgments of Ordinaries of this State, where the same may be passed by them beyond the limits of the same.

A bill to be entitled an act to allow the commissioners of Spring Place to issue retail license therein, and to punish for a violation of this act.

A bill to prevent attorneys at law who fail to pay their professional tax from practicing in the Courts of this State.

A bill to be entitled an act to prevent citizens of other States from driving cattle or other stock into the counties of Murray and Fannin in the State of Georgia, for the purpose of grazing, and to punish for the same.

The following message was received from the House of Representatives, by their Clerk *pro tem.*, Mr. Estes :

*Mr. President :* I am directed by the House of Representatives to inform the Senate that they have appointed the following committee, viz : Messrs. Cabaniss, of Monroe, Lester, of Cobb, Hook, of Washington, Burk, of Carroll, Norwood, of Chatham, Briscoe, of Baldwin, and Schley, of Richmond, to confer with a similar committee of the Senate in relation to their disagreement upon a bill to provide for the public defence, and for other purposes.

On motion the Senate took up the resolution respecting the disposition of the unfinished business of the session, which, on motion, was laid on the table for the present.

The Senate took up the resolution respecting the adjournment of the General Assembly, which, on motion, was laid on the table for the balance of the session.

The following message was received from the House of Representatives by Mr. Estes, their Clerk *pro tem.* :

*Mr. President :* The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to be entitled an act to amend the charter of the Cherokee Insurance & Banking Company, so as to reduce the capital stock of said Bank to relieve the same from extra tax assessed against the said Bank, and for other purposes, with amendments, in which they respectfully ask the concurrence of the Senate.

Also, a bill to legalize the action of the Palace Mills Company of Columbus, in issuing change bills.

Also, a bill to be entitled an act to authorize and require his Excellency the Governor to draw his warrant on the Treasurer of this State in favor of the widow of A. J. Boggess, late Surveyor General of this State, for the sum of five hundred and four dollars and eighty cents, and for other purposes.

Also, a bill to authorize Joseph H. Brown to prescribe for the cure of dropsey, and collect his fees for the same.

Also, a bill to be entitled an act to alter the Great Seal of the State of Georgia.

The Senate took up as the report of the committee of the whole, the following bill from the House of Representatives:

A bill to incorporate the Planters' Insurance Loan and Trust Company.

Mr. Boyd offered the following amendment, which was agreed to:

*And be it further enacted*, That all the property, both real and personal, of each and every stockholder of said Company, shall be liable to the payment of any debts, contract or liability of said company, in proportion to his or her stock, to be recovered against stockholder in any Court of law or equity having jurisdiction.

The report as amended was agreed to; the bill was read the third time and passed.

The following bills, from the House of Representatives, were severally read the second time:

A bill to encourage the manufacture of salt within the limits of the State of Georgia, and for other purposes.

A bill to encourage the improvement of stock in this State.

A bill to give equal fishing privileges to all persons owning or living on water courses.

A bill to appropriate extra compensation to John H. Seals, for the publication of the Code of Georgia.

A bill to change the time of holding the Superior Courts of the county of Putnam.

A bill to provide for the manufacture and purchase of arms for the public defence and to appropriate money therefor.

A bill to abolish the office of county Treasurer of Stewart county, and for other purposes.

A bill to authorize B. P. Key, of the county of Jasper, his heirs and assignees, to extend and keep up a dam across the Ocmulgee river.

A bill to compel non-residents to pay tax on cattle and sheep in the county of Colquitt.



A bill to provide for the appointment of a compiler of the laws, &c.,—referred to the Judiciary Committee.

A bill to appropriate money to pay certain debts contracted on the faith of the State for the State Lunatic Asylum for the year 1861.

A bill to authorize the Inferior Court of Coffee to have said county laid off in school districts; and the Ordinary of said county therein directed to proportion out the school fund in *pro rata* to each district.

A bill to provide for raising revenue for the political year 1862, and to appropriate money for the support of Government during said year, and to make certain special appropriations, and for other purposes therein named—referred to the Committee on Finance.

A bill to appropriate money for the State Lunatic Asylum for the year 1862, and for other purposes.

A bill to amend the tax laws of this State.

A bill to amend the militia laws of this State.

A bill to authorize James Pollard, Executor of the estate of Britain C. Pollard, deceased, to pay to John C. Pollard, one of the minor heirs of Britain C. Pollard, his distributive share of said estate, and to authorize D. N. McNeil to receive and receipt for the same.

The following bills from the House of Representatives were severally read the first time:

A bill to prescribe the proof in certain cases of open accounts in the several Courts of this State.

A bill to regulate the collection of Jury fees in the Superior and Inferior Courts of the counties of Talbot, Chatahoochee, Putnam, Habersham, Polk, Bibb, and Dougherty.

A bill to incorporate the Confederate Fire & Marine Insurance Company of Atlanta.

A bill for the relief of Abner Hern, of Wilkes county, and Wesley Sheffield, of Early county, and to appropriate money for the same.

A bill to legalize the orders and judgments of Ordinaries of this State where the same may be passed by them beyond the limits of the same.

A bill to prevent citizens of other States from driving cattle or other stock into the counties of Murray and Fannin, in the State of Georgia, for the purpose of grazing, and to punish for the same.

A bill to authorize the Superintendent of the Western & Atlantic Railroad of this State to issue change bills, &c.

A bill to allow the commissioners of Spring Place to issue retail license therein, and to punish for a violation of this act.

A bill to legalize the adjournment of the Superior Courts of the counties of Habersham and Banks.

A bill to authorize John H. Wyley to draw the educational fund of Habersham, and pay the same to the Board of Education of said county.

A bill to prevent attorneys at law who fail to pay their professional tax from practicing in the Courts of this State.

The following bill, from the House of Representatives, was taken up, and read the first time :

On motion the Senate took up so much of the message from the House of Representatives respecting the passage of a bill to amend the charter of the Cherokee Insurance & Banking Company, &c., with an amendment, and asking the concurrence of the Senate in said amendment.

On motion said amendment was concurred in, and notice thereof ordered to be transmitted to the House of Representatives, forthwith.

The following bills from the House of Representatives were severally read the first time :

A bill to alter the Great Seal of the State of Georgia.

A bill to legalize the action of the Palace Mills Company of Columbus, in issuing change bills.

A bill to authorize Joseph H. Brown to prescribe for the cure of dropsey, and collect his fees for the same.

A bill to authorize and require his Excellency the Governor to draw his warrant on the Treasurer of this State in favor of the widow of A. J. Boggess, late Surveyor General, for the sum of four hundred and four dollars and eighty cents, and for other purposes.

On motion the Senate adjourned until 3½ o'clock, P. M.

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3½ O'CLOCK, P. M.

The Senate met according to adjournment. Hon. Hyram P. Bell in the Chair.

The President appeared and took his seat.

On motion, leave of absence was granted to Mr. Simmons for the balance of the session after to-day.

On motion, the Senate adjourned until 10 o'clock tomorrow morning.

THURSDAY, DECEMBER 12TH, 1861, }  
10 o'clock, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Mosely.

Mr. Harris moved to reconsider so much of the Journal of yesterday as relates to the passsge of a bill to incorporate the Planters' Insurance, Loan & Trust Company, which motion prevailed.

Mr. Gordon, chairman of the Committee of Conference, made the following report :

The Committee of Conference appointed to meet a like Committee on the part of the House, to take into consideration the disagreement of the two Houses in regard to the bill "to provide for the Public Defence, and for other purposes," have instructed me to report that after a protracted consultation they have been unable to agree.

(Signed) GEORGE A. GORDON, Chairman.

Mr. Gordon offered the following resolution which was adopted:

*Resolved*, That the Senate appoint a second Committee of Conference to be composed of other Senators than those heretofore appointed, to act with a like Committee of the House upon the disagreement of the two Houses on the bill to provide for the public defence, and that the House be respectfully requested to appoint a similar Committee.

The President appointed as said committee on the part of the Senate Messrs. Hansell, Mosely, Echols, Harris and Dyer.

The following message was received from the House of Representatives, by Mr. Carrington their Clerk, to-wit:

*Mr. President*: The House of Representatives have passed the following bills which I am directed to transmit forthwith to the Senate:

A bill to be entitled an act for the protection of soldiers against judgments in certain cases.

Also, a bill to constitute an Eclectic Board of Physicians, and to locate the same in the town of Athens, Georgia.

Also, a bill to be entitled an act to amend an act to approve, endorse, and make of force in the State of Georgia a revised Code of Laws, &c., assented to December 19th, 1860.

Also, a bill for the relief of David Dyer, Thomas Hollis, Lester Markham, and for other purposes therein mentioned.

Also, a bill to charter the Macon Insurance, Trust & Loan Company, and to confer on said company certain rights, powers and privileges.

Also, a bill to be entitled an act to authorize married wo-



men to deposit money in any Savings Bank or institution now chartered, or which may hereafter be chartered by this State, and for other purposes therein mentioned.

Also, a bill to compensate managers of elections in the counties of Chattahoochee and Whitfield.

Also, a bill to be entitled an act to alter and fix the time of the meeting of the General Assembly of the State of Georgia.

Also, a bill to be entitled an act to add an additional section to the tenth division of the Penal Code.

Also, a bill to be entitled an act to exempt plaintiffs and defendants from paying verdicts and confessions in bills of cost, in the Superior and Inferior Courts of Scriven county.

Also, a bill to be entitled an act to authorize the Ordinary of White county to pay C. H. Kytle for teaching poor children in the county of White.

Also, a resolution requesting our Representatives in Congress to use their influence in securing the establishment of a certain mail line in the counties of Tatnall and Bulloch.

A bill to alter the revenue laws of this State, and for other purposes therein mentioned.

A bill to be entitled an act to authorize the removal of Timber Cutters Bank.

A bill to be entitled an act to authorize and empower the Justices of the Inferior Courts of this State to discharge criminals or offenders against the law from jail in certain cases, and also to discharge defendants in certain civil cases, approved December 29, 1857.

A bill to be entitled an act to alter and amend the tenth section of an act entitled an act to amend the several acts of the General Assembly in regard to the election of Public Printer, approved February 16, 1854.

A bill to be entitled an act to amend an act to incorporate the town of Cusseta, in the county of Chattahoochee, approved December 22d, 1855.

A bill to be entitled an act to amend a portion of the 8th section of an act in relation to the town of Athens, assented to December 22d, 1857.

A bill to be entitled an act to authorize proceedings by injunction against any person or persons engaged in the managing, conducting or drawing of lotteries in this State, and for other purposes.

A bill to be entitled an act to protect the rights of Malachi Jones and Thomas Hardee, of the county of Brooks, in certain lakes on their lands.

A bill to be entitled an act to authorize and empower James Bozeman and William Jordan to peddle without license in the third Congressional district, except counties therein mentioned.

A bill to be entitled an act to repeal an act to compel per-

sons non-residents of the counties of Wilcox, Wayne and Irwin owning, penning and grazing stock cattle in said counties to return and pay taxes on the same in the counties aforesaid, assented to December 19, 1859, so far as relates to the county of Wilcox.

A bill to be entitled an act to define the manner in which suits may be instituted against Insurance Companies in this State, and to prescribe the manner in which service shall be effected upon them.

A bill to be entitled an act to authorize the Justices of the Inferior Courts and Ordinaries of the several counties to appoint some fit and proper person to open and adjourn such Courts in the absence of an officer to do so.

A bill to be entitled an act to confer upon John E. Morgan, Jesse McClendon, and others, their associates and successors the right to conduct the business of banking upon the terms therein expressed.

A bill to be entitled an act to allow secondary proof and testimony in cases where copy wills, deeds and other papers cannot be procured, and for other purposes.

A bill to be entitled an act to authorize the Ordinary of Towns county to turn over to the chairman of a Relief Committee of said county a balance of educational fund.

A bill to be entitled an act to provide for the election of District Treasurer of the common school fund in the county of Dawson, and to prescribe the manner of distributing said fund, and for other purposes.

The House of Representatives has passed the following bill of the Senate, to-wit :

A bill to be entitled an act to relieve certain persons from the pains and disabilities of a judgment of divorce—with amendments, in which they respectfully ask the concurrence of the Senate.

#### REPORTS OF THE COMMITTEE ON FINANCE.

The Committee on Finance have considered the bill referred to them to be entitled an act to provide for the relief of the people of Georgia from the pecuniary embarrassments occasioned by the pending war, and have unanimously instructed me to report that they are opposed to the bill as defective in detail, and are likewise opposed to the principle on which it is based, and therefore recommend that it do not pass.

(Signed) M. W. LEWIS, Chairman.

The Committee on Finance have considered the bill referred to them to be entitled an act to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purpo-

ees therein named, and have instructed me to report the same back to the Senate and recommend that it do pass, with the following amendments:

1st. They recommend that the 17th section appropriating money to pay the resident Ministers for opening the session of the Senate and House of Representatives with prayer be stricken out—the said amendment being proposed by the request of said Ministers.

2d. They propose by way of amendment the following Section, viz:

SEC. 17. That the sum of five dollars *per diem* be appropriated to pay the clerk of the Senate Committee on the Judiciary for as many days as he has served said Committee, and that the Auditing Committee of the Senate shall not be authorized to audit said clerk's account for any greater number of days than shall be certified to by the chairman of said Judiciary committee.

3d. They also propose to amend by adding the following section, viz:

SEC. 18. *Be it further enacted*, That the following sums be and are hereby appropriated to pay the balances due to the several Professors of the Georgia Military Institute for the year 1861, namely: to V. H. Mauget, five hundred and ninety-three dollars and twelve cents; to J. C. Eve, fifty-four dollars and forty cents; to A. W. King, five hundred and ninety-three dollars and twelve cents; to J. W. Baker, seven hundred and fourteen dollars—making the sum of nineteen hundred and fifty-four dollars and sixty-four cents.

SEC. 19. *And be it further enacted*, That the sum of six hundred and eighty-two dollars and seventy-eight cents, be and the same is hereby appropriated to pay A. Green & Co. transferees of W. A. M. Lanier, for household and kitchen furniture, crockery, &c., purchased of said Lanier by the Georgia Military Institute for the use of the State, on the tenth day of August eighteen hundred and sixty.

SEC. 20. *Be it further enacted*, That the sum of three hundred and eighty-nine dollars and eighty-five cents be and the same is hereby appropriated to pay A. N. Simpson, Treasurer of the Georgia Military Institute for his services as such Treasurer since the purchase of said Institute by the State of Georgia.

SEC. 21. *And be it further enacted*, That his Excellency the Governor be and he is hereby authorized to draw his warrant upon the Treasurer for such sum of money as he may upon due proof thereof find to be due and owing to William W. Boyd, former Commissary and Quartermaster of the Georgia Military Institute for Military goods, &c., sold by him to said Institute when the State took charge thereof.

SEC. 22. *And be it further enacted*, That in addition to the two thousand dollars appropriated for the education, board,



&c., of the ten Cadets in the Georgia Military Institute the further sum of four hundred dollars be and the same is hereby appropriated for the payment of two additional State Cadets, one from each of the newly created Congressional districts.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit:

*Mr. President:* The House of Representatives insists on their disagreement to the Senate amendment of the bill "to provide for the public defence, and to appropriate money therefor, and for other purposes," and has adopted resolutions asking for a committee of conference, and have appointed as a committee on the part of the House for that purpose Messrs. Bigham, Lee, Cochran, of Glynn, Black and Felton—and I am directed to transmit this action to the Senate forthwith.

The House of Representatives has also passed the following bill, which I am directed to transmit forthwith to the Senate, to-wit:

A bill to be entitled an act for the relief of certain tax payers of this State, and for other purposes.

The rule being suspended the Senate took up as the report of the committee of the whole the following reconsidered bill:

A bill to incorporate the Planters' Insurance, Trust & Loan Company, and to confer certain powers thereon.

Mr. Vason moved to amend said bill by striking out the personal liberty clause of said bill, which motion was agreed to.

Mr. Jackson offered the following amendment which was agreed to:

*Provided,* That they shall publish once a year during the time that they shall continue in business a list of the stockholders in some newspaper published in this State.

The report as amended was agreed to, the bill was read the third and passed.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President:* The House of Representatives have increased the number of members from the House on the committee of conference on the bill to be entitled an act to provide for the public defence, and for other purposes, and has appointed Messrs. Love and Washington as additional members of said conference committee.

The rule being suspended Mr. Lewis offered the following resolution, which was adopted:

*Resolved,* That the Senate act on no House bills which pass the House of Representatives to-day.

Mr. Dyer offered the following resolution which was adopted :

*Resolved*, That all bills passed hereafter are ordered to be transmitted forthwith to the House of Representatives.

Mr. Dyer, chairman of the Committee on Enrollment, reports as duly enrolled and ready for the signature of the President of the Senate—

An act to amend the charter of the Cherokee Insurance & Banking Company so as to reduce the capital stock of said bank, to release the same from extra tax assessed against the said bank, and for other purposes.

Also, the following House bills duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate—

An Act to authorize the Justices of the Inferior Court of Coweta county from time to time to authorize the levying and collecting of such taxes in said county as is hereinafter provided for the purpose herein provided, and for no other purposes whatever, which shall be known and designated as a tax for the purpose of supporting the indigent families of soldiers who have or may hereafter go into the actual service of the country, and also for the support of such indigent soldiers who have or may hereafter return home from such service either in a crippled or disabled condition.

An act to repeal the fourteenth section of an act entitled an act to incorporate the town of Valdosta, in the county of Lowndes, and for other purposes therein mentioned. Also to incorporate Summerville Academy.

Also, an act to legalize the proceedings of the Southern stockholders of the Brunswick & Florida Railroad company, to change the name of said Company, and to amend the act of incorporation, to extend the charter thereof, and to facilitate the building thereof.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President*: The House of Representatives has passed the following bills which I am directed to transmit forthwith to the Senate, to-wit :

A bill to be entitled an act to provide for the compensation of Grand and Petit jurors for the Superior and Inferior Courts of Elbert and Taliaferro counties, and to repeal all former laws providing for the same.

Also, a bill to be entitled an act to levy and collect a tax for the political year 1862, and for other purposes.

Also, a bill to be entitled an act to amend an act to be entitled an act to compensate the Sheriffs of Burke, Elbert and DeKalb counties for their services in summoning Grand and Petit jurors in said counties, respectively, assented to December 23, 1836.

The Senate took up, severally, as the report of the committee of the whole the following bills from the House of Representatives:

A bill to authorize James Pollard, Executor of the estate of Britain C. Pollard, deceased, to pay to John T. Pollard, one of the minor heirs of Britain C. Pollard, his distributive share of said estate, and to authorize D. N. Mc Niel to receive and receipt for the same.

The report was agreed to, the bill was read the third time and passed.

A bill to appropriate money to pay certain debts contracted on the faith of the State for the State Lunatic Asylum.

The report was agreed to; the bill was read the third time and passed.

A bill to abolish the office of County Treasurer of Stewart county, and for other purposes.

The report was agreed to: the bill was read the third time and passed.

A bill to change the time of holding the Superior Court of the county of Putnam.

The report was agreed to, the bill was read the third time and passed.

A bill to amend the Military laws of this State.

The report was agreed to; the bill was read the third time and passed.

A bill to authorize the manufacture and purchase of arms for the public defence, and to appropriate money for the same.

The report was agreed to, the bill was read the third time and passed.

A bill to amend the tax laws of this State.

The report was agreed to, the bill was read the third time and passed.

A bill to repeal an act entitled an act to authorize the Inferior Court of Ware county to assess an extra tax for the purpose of building a Court House in said county, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

A bill to authorize B. P. Key, of the county of Jasper, his heirs and assigns to extend and keep up a dam across the Ocmulgee river.

The report was agreed to, the bill was read the third time and passed.

A bill to appropriate extra compensation to John H. Seals for the publication of the Georgia Code.

The report was agreed to, the bill was read the third time and passed.



The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President :* The House of Representatives has passed the following bill of the Senate, with amendments thereto, in which they ask the concurrence of the Senate, to-wit :

A bill to direct and empower the Inferior Courts of Stewart and Webster counties to levy, collect and disburse an extraordinary tax for the support of the indigent families of such soldiers as have gone or may hereafter go into the service of the Confederate States or the State of Georgia, and to appoint commissioners for the disbursement of said tax, and to legalize the orders or judgments which levied an extraordinary tax for the year 1861, and provides for the collection of the same.

The following bills from the House of Representatives were severally read the second time :

A bill to authorize and require His Excellency the Governor to draw his warrant on the Treasurer of this State in favor of the widow of A. J. Boggess, late Surveyor General, for the sum of four hundred and four dollars and eighty cents, and for other purposes.

A bill to regulate the collection of Jury fees in the Superior and Inferior Courts of the counties of Talbot, Chatahoochee, Putnam, Habersham, Polk, Bibb and Dougherty.

The rule being suspended the following bill from the House of Representatives was taken up and read the first time :

A bill to levy and collect a tax for the political year 1862, and for other purposes.

The following communication was received and ordered to be entered on the Journal with the unanimous thanks of the Senate :

*To the Genetal Assembly of the State of Georgia :*

The resident Clergy of Milledgeville, and vicinity, have most cordially complied with the request of the two Houses to open their meetings with prayer, invoking the presence and blessings of the Most High on their daily deliberations. We must be allowed most respectfully to decline any compensation for our services.

In behalf of the resident Ministers,

(Signed)

SAM'L. K. TALMAGE.

## REPORT OF THE COMMITTEE ON CONFERENCE.

The Committee on Conference appointed by the Senate, on the bill to be entitled an act to prevent during the existing war, monopolies, extortion and speculation in breadstuffs, &c., have met the committee on the part of the House and agreed to report back with the following amendment

the substitute adopted by the House, by striking out the 4th section of said substitute, and inserting the following in lieu of the same and recommend its passage.

SEC. 4. *Be it further enacted*, That in all trials for a violation of the third section of this act the Jury may take into consideration the cost of producing the articles with expenses of transportation to market, if the defendant be a manufacturer or producer thereof, and the original price paid therefor with cost of transportation, if the defendant be a merchant or trader.

On motion the Senate took up the bill in the above report named, and agreed to the amendments reported by said Committee.

Mr. Ware moved to lay said bill upon the table for the balance of the session. On this motion the yeas and nays were recorded and were yeas 9, nays 23.

Those who voted in the affirmative are—Messrs :

Boyd, Gibson, Gordon, Griffin, Jackson, Killen, Stephens, Swearingen, Ware.

Those who voted in the negative are—Messrs.:

Alexander, Beasley, Bell, Bothwell, Brown, Dyer, Echols, Fletcher, Furlow, Gaston, Hansell, Harris, Hill, James Hilliard, Jamison, Kendall, Lane, Lewis, Mosely, Seward, Stafford, Vason, Winn.

Yeas 9, nays 22. So the motion did not prevail.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington :

*Mr. President*: The House of Representatives have passed the following bill which I am directed to transmit to the Senate forthwith:

A bill for the better government of free negroes and slaves in the towns of Louisville and Clarksville.

The House of Representatives has also concurred in the amendment of the Senate to a bill of the House of Representatives "to be entitled an act to incorporate the Planters' Insurance, Trust & Loan Company, and to confer certain powers and privileges thereon."

The report of the Conference Committee was agreed to.

The Senate adjourned till 3½ o'clock, P. M.

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3½ O'CLOCK, P. M.

The Senate met according to adjournment.

The Senate took up as the report of the committee of the whole the following bills from the House of Representatives severally :

A bill to incorporate the village of Summerville in the county of Richmond, to provide for the election of Commissioners for the same, to prescribe their powers and duties and for other purposes.

The report was agreed to, the bill was read the third time and passed.

A bill to encourage the manufacture of salt within the limits of the State of Georgia, and for other purposes.

Mr. Harris offered the following amendment, which was agreed to:

Strike out "twenty-five thousand" and insert in lieu thereof "fifty thousand."

The report as amended was agreed to, the bill was read the third time and passed.

A bill to encourage the improvement of stock in this State.

The report was agreed to; the bill was read the third time and passed.

A bill to authorize the Inferior Court of the county of Coffee to have said county laid off in school districts and the Ordinary of said county herein directed to proportion out the school fund in pro rata to each district.

The report was agreed to; the bill was read the third time and passed.

A bill to give equal fishing privileges to all persons owning or living on water courses.

The report was agreed to; the bill was read the third time and passed.

A bill to appropriate money for the State Lunatic Asylum for the year eighteen hundred and sixty-two, and for other purposes.

The report was agreed to; the bill was read the third time and passed.

A bill to compel non-residents to pay tax on cattle and sheep in the county of Colquitt.

The report was agreed to; the bill was read the third time and passed.

The following bills from the House of Representatives were severally read the second time:

A bill for the relief of Abner Hern, of Wilkes county, and Wesley Sheffield, of Early county, and to appropriate money for the same.

A bill to prescribe the proof in certain cases of open accounts in the several Courts of this State.

A bill to legalize the orders and judgments of Ordinaries of this State where the same may be passed by them beyond the limits of the same.

A bill to incorporate the Confederate Fire & Marine Insurance Company, of Atlanta.



A bill to authorize Joseph H. Brown to prescribe for the cure of Dropsy, and collect his fees for the same.

A bill to prevent citizens of other States from driving cattle or other stock into the counties of Murray and Fannin in the State of Georgia for the purpose of grazing, and to punish offenders for the same.

A bill to alter the Great Seal of the State of Georgia.

A bill to authorize the Superintendent of the Western & Atlantic Railroad of this State to issue change bills, and for other purposes.

A bill to legalize the action of the Palace Mills Company of Columbus, in issuing change bills.

A bill to authorize John H. Wiley to draw the educational fund of Habersham to pay the same to the Board of Education of said county.

A bill to prevent Attorneys at Law who fail to pay their professional tax from practicing in the Courts of this State.

A bill to allow the Commissioners of Spring Place to issue retail license therein, and to punish for a violation of this act.

A bill to legalize the adjournments of the Superior Courts of the counties of Habersham and Banks.

The rule being suspended Mr. Lane offered the following resolution :

*Resolved*, That the Governor of this State be respectfully requested to reduce the freight on the State road on all articles of strict necessity, to-wit: corn, wheat, flour and bacon to the lowest paying figure.

Mr. Lewis offered the following amendment in the nature of a substitute to said amendment, which was accepted :

WHEREAS, The General Assembly have received intelligence that the Superintendent has determined to raise the rate of local freights on the Western & Atlantic Railroad ; *And Whereas*, it is the opinion of the General Assembly that it is unjust and onerous to the people who built, and who own said road, to load them in these embarrassing times with additional burthens, therefore—

*Resolved by the Senate and House of Representatives*, That the Governor be requested to *reduce* instead of raise the freight on all articles of strict necessity, to-wit: corn, wheat, flour, bacon, salt, and all other articles of general consumption to the lowest paying figure.

The resolution as amended was adopted.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk, to-wit :

*Mr. President* :—The House of Representatives have passed the following bill of the Senate, with amendments, in which they ask the concurrence of the Senate to-wit :

A bill to be entitled an act to incorporate the Cotton Planters' Bank of Georgia—to give steadiness to the value of Cotton, to make it available as the basis of a sound circulating medium, for the relief of the industrial interests of the Country, and at the same time to enable the planters to control their own cotton until the blockade now attempted to be enforced is removed—to guard the planters against an unavoidable necessitous sale of their Cotton at less than remunerating prices and against sacrifices alike detrimental to their interest, consequent upon their being forced to draw upon and accept inadequate advancements upon their crops, paying heavy commissions, interest, insurance and storage ruinous to the producers of this great Southern staple, and for other purposes.

The House of Representatives has also concurred in the amendments of the Senate to the substitute of the House for a Senate bill to be entitled an act to prevent during the existing war, monopolies, extortion and speculation in breadstuffs and other articles of general use and consumption, and to make such acts criminal, and to provide penalties for the same.

The following bills from the House of Representatives were severally read the first time:

A bill for the better government of free negroes and slaves in the town of Louisville and Clarksville.

A bill to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of Elbert and Taliaferro, and to repeal all former laws providing for the same.

A bill to amend an act to be entitled an act to compensate the Sheriffs of Burke, Elbert and DeKalb counties, for their services in summoning Grand and Petit Jurors in the said counties respectively, assented to December 23, 1836.

A bill to compensate managers of elections in the counties of Chattahoochee and Whitfield.

A bill for the relief of certain tax payers, and for other purposes.

A bill to amend an act to approve, endorse, and make of force in the State of Georgia, a revised Code of Laws, &c., assented to December 19th, 1860.

A bill to constitute an Eclectic board of Physicians, and to locate the same in the town of Athens.

A bill to authorize the Ordinary of White county, to pay C. H. Kytte for teaching poor children in the county of White.

A bill to authorize and empower the Justices of the Inferior Courts of this State, to discharge criminals or offenders against the law from jail in certain cases, and also to discharge defendants in certain cases, approved December 29th, 1857.

A bill for the protection of soldiers against judgments in certain cases.

A bill to protect the rights of Mallichi Jones and T. Hardee, of the county of Brooks, in certain lakes on their land.

A bill to authorize the removal of Timber Cutters Bank.

A bill to authorize the Justices of the Inferior Courts and Ordinaries of the several counties to appoint some fit and proper person to open and adjourn such Courts in the absence of an officer to do so.

A bill to repeal an act to compel persons non-residents of the counties of Wilcox, Wayne, and Irwin, owning penning and grazing stock-cattle in said counties aforesaid, assented to December 19th, 1859, so far as relates to the county of Wilcox.

A bill for the relief of Daniel Dyer, Thomas Hollis, Lester Markham, John Huff and James W. Burnside, and for other purposes therein mentioned.

A bill to alter the Revenue laws of this State, and for other purposes therein named.

A bill to charter the Macon Insurance Trust and Loan Company, and to confer on said company certain rights, powers and privileges.

A bill to exempt Plaintiffs and Defendants from paying verdicts and confessions in bills of costs in the Superior and Inferior Courts of Scriven county.

A bill to alter and amend the tenth section of an act entitled an act to amend the several acts of the General Assembly in regard to the election of Public Printer, approved February 16th, 1854.

A bill to provide for the election of District Treasurers of the common school fund in the county of Dawson, and to prescribe the manner of distributing said fund, and for other purposes.

A bill to authorize the Ordinary of Towns county to turn over to the chairman of a Relief committee of said county a balance of Educational fund.

A bill to amend an act to incorporate the town of Cusseta, in the county of Chattahoochee, approved Dec. 22, 1855.

A bill to authorize married women to deposit money in any Savings Bank, or Institution, now chartered, or which may hereafter be chartered by this State, and for other purposes mentioned therein.

A bill to authorize and empower James Bozeman and William Jordan to peddle without license in their Congressional district, except counties therein named.

A bill to alter and amend a portion of the eighth section of an act in relation to the town of Athens; assented to December 22d, 1857.

A bill to authorize proceedings by injunction against any person or persons engaged in the managing, conducting, or



drawing of Lotteries in this State, and for other purposes.

A bill to confer upon John E. Morgan, Jesse McLendon, and others, their associates and successors, the right to conduct the business of Banking upon the terms therein expressed.

A bill to allow secondary proof and testimony in cases where Copy, Wills, Deeds, and other papers cannot be procured and for other purposes.

A bill to define the manner in which suits may be instituted against Insurance Companies in this State, and to prescribe the manner in which service shall be effected upon them.

A bill to add an additional section to the tenth Division of the Penal Code:

The rule being suspended, on motion, the Senate took up the following bills (severally) from the House of Representatives as the report of the committee of the whole,

A bill to provide for the relief of the people of Georgia from the pecuniary embarrassment occasioned by the existing war.

The committee on Finance to whom this bill was referred, reported adversely to its passage.

The report was agreed to, and the bill was lost.

A bill to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes therein named.

The Finance committee to whom this bill was referred, reported it back to the Senate with amendments, and recommended that, as amended, it do pass.

The amendments reported by said committee on Finance were agreed to.

Mr. Seward offered the following amendment which was agreed to:

Sec. *Be it further enacted*, That the following sums be, and the same are hereby, appropriated to pay such of the Commissioners appointed by the Convention of Georgia to certain States in addition to the advancements made by the Governor, at the time of their appointment, to-wit:

To A. R. Wright, Commissioner to Maryland,	\$300
“ D. C. Campbell, “ to Delaware,	300
“ H. L. Benning, “ to Virginia,	300
“ Samuel Hall, “ to N. Carolina	300
“ H. P. Bell, “ to Tennessee,	300
“ W. C. Daniel, “ to Kentucky,	300
“ D. P. Hill, “ to Arkansas,	300
“ L. J. Glynn, “ to Missouri,	300
“ W. A. Vason, “ to Louisiana,	300
“ J. W. A. Sanford, “ to Texas,	300

And the Governor is hereby authorized to draw his warrant upon the Treasury, in favor of each of said Commissioners, for the sums hereby appropriated.

Mr. Harris offered the following amendment, which was agreed to :

*And be it further enacted,* That the sum of two hundred dollars be, and the same is hereby appropriated to H. J. G. Williams, in addition to what he has already received, as compensation for his services as an enrolling Clerk of the late State Convention.

The report as amended was agreed to ; the bill was read the third time and passed.

Mr. Dyer, chairman of the committee on enrollment reports as duly enrolled, signed by the Speaker of the House, and ready for the signature of the President of the Senate,

An Act to appropriate extra compensation to John H. Seals for the publication of the Code.

An act to authorize the manufacture and purchase of arms for the public defence, and to appropriate money for the same.

An act to authorize James Pollard Executor of the estate of Britain C. Pollard, deceased, to pay to John T. Pollard, one of the minor heirs of Britain C. Pollard his distributive share of said estate, and to authorize D. N. McNeil to receive and receipt for the same.

An act to appropriate money to pay certain debts contracted on the faith of the State for the Lunatic Asylum for the year 1861.

An act to repeal an act entitled an act to authorize the Inferior Court of Ware county to assess an extra tax for the purpose of building a Court House in said county, and for other purposes.

An act to abolish the office of County Treasurer and impose the duties of said office upon the Ordinary for the county of Stewart, and for other purposes.

An act to change the time of holding the Superior Courts of the county of Putnam.

An act to amend the tax laws of this State.

An act to authorize B. P. Key of the county of Jasper his heirs and assigns to extend and keep up a dam across the Ocmulgee river.

An act to amend the Military laws of this State.

Mr. Dyer, chairman of the Committee on Enrollment reports as duly enrolled and ready for the signature of the President of the Senate—

An act to direct and empower the Inferior Court of Stewart county to levy, collect and disburse an extraordinary tax for the support of indigent families of such soldiers as have gone or may hereafter go into the service of the Confeder-

atē States or State of Georgia, and to appoint commissioners for the disbursement of said tax, and to legalize the orders or judgments of the Inferior Court of said county, which levied an extraordinary tax for the year 1861, and provide for the collection of the same.

On motion the Senate adjourned till 7 o'clock P. M.

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7 O'CLOCK P. M.

The Senate met pursuant to adjournment.

The following Message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President* :—The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to be entitled an act to incorporate the Georgia Mutual Insurance Company.

A bill to be entitled an act to authorize the City Council of Augusta to fix the salary of the Judge of the City Court of said city.

A bill entitled an act to make valid the doings and actings of Augustus B. Raiford and Sterling Glover as Deputy Sheriffs of the county of Sumter.

A bill to be entitled an act to provide for the appointment of new Trustees in certain cases.

A bill to be entitled an act to authorize the Receiver or Receivers appointed under the Sequestration Act of the Confederate States, to bring suits on all claims of alien enemies, sequestered in any of the Courts of this State, and to maintain all suits which are now pending in any of the Courts, and for other purposes.

A bill to amend an act entitled an act to authorize the settlement of criminal prosecutions in certain cases, and to regulate more particularly the duties of the Attorney and Solicitors General, and fix their liabilities; approved February 22d, 1850.

A bill to be entitled an act to make valid the proceedings of the Justices of the Inferior Court of Richmond county, in providing for the indigent families of absent soldiers, and to authorize said Justices to raise money for that purpose.

And a bill of the Senate, to be entitled an act to incorporate an Insurance Company, in any city of Georgia, to be called the Southern Insurance and Trust Company.

The House of Representatives have adopted and passed the following substitute, to-wit :

A bill to be entitled an act to incorporate an Insurance



Company in the city of Savannah, to be called the Southern Insurance Company.

The rule being suspended, on motion, the Senate took up so much of the message from the House of Representatives as relates to the amendment by the House, in the nature of a substitute, of a Senate bill "to incorporate an Insurance Company in any city of Georgia, to be called the Southern Insurance and Trust Company," and asking the concurrence of the Senate therein.

On motion, the Senate concurred in the House amendment of said bill.

Mr. Dyer, chairman of the committee on enrollment, reports as duly enrolled and ready for the signature of the President of the Senate,

An act to relieve certain persons from the pains and disabilities of a judgment of divorce.

Mr. Dyer, chairman of the committee on enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to compel non-residents to pay tax on cattle and sheep in the county of Colquitt.

An act to incorporate the Planters Insurance Trust & Loan Company, and to confer certain powers and privileges thereon.

An act to incorporate the village of Summerville in the county of Richmond, to provide for the election of commissioners for the same, to prescribe their powers and duties, and for other purposes.

The joint committee of Conference, through their chairman Mr. Hansell, submitted the following report :

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly,* That the President and Congress of the Confederate States of America be, and are hereby most respectfully, but earnestly requested, to accept into the service of the Confederate States, all of the officers in command of the Volunteer State Troops about to be tendered by the State of Georgia to the Confederate States, for the special, local, defence of Georgia, and retain them in their several positions ; and that, if by the laws of the Confederate States such action cannot be had as to said officers, then we ask respectfully, and earnestly solicit the passage of an act of Congress authorizing the same.

*Resolved further,* That a copy of these resolutions be transmitted to the President of the Confederate States, and to each of our members in Congress, with a request that said members use their efforts for the effectuation of the same.

The said committee, also, reported the following amendment of the General appropriation bill :

Sec. *Be it further enacted*, That the sum of one million of dollars be, and the same is hereby, appropriated as a military fund for the year eighteen hundred and sixty-two, to be drawn from the Treasury on the warrant of the Governor, from time to time, as the same may be required, to defray either past or future expenses for military purposes.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit:

*Mr. President*: The House of Representatives have concurred in the amendment of the Senate to the bill to be entitled an act to encourage the manufacture of Salt within the limits of the State of Georgia, and for other purposes; together with the following Preamble and Resolution, to-wit:

WHEREAS, a clerical mistake was committed in engrossing a bill to be entitled an act to encourage the manufacture of Salt within the limits of the State of Georgia, and for other purposes; by which a proviso to section 2d, of said bill, was attached to the same, it having been rejected by the House.

*Be it therefore resolved*, That said proviso be stricken from said bill, and that the Senate be respectfully requested to concur in the action of the House.

On motion of Mr. Lewis, the rule in reference to transmitting matter to the House forthwith, was suspended so far as relates to the general appropriation bill.

On motion of Mr. Gordon, the report of the joint committee of Conference was laid upon the table for the present.

On motion the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, DECEMBER 13TH, 1861.

10 O'CLOCK, A. M.

The Senate met according to adjournment, and was opened with prayer by the Reverend Mr. Boyd.

Mr. Hansell moved to reconsider so much of the Journal of yesterday as relates to the several appropriation bill. The motion was agreed to.

The rule being suspended on motion said bill was taken up.

Mr. Hansell offered the following amendment:

Section *Be it further enacted*, That the sum of one million of dollars be, and the same is hereby appro-

priated as a military fund for the year eighteen hundred and sixty-two, to be drawn from the Treasury on the warrant of the Governor from time to time, as the same may be required to defray either past or future expenses for military purposes.

Mr. Seward moved to amend said amendment so as to make it read five millions instead of one million.

Mr. Lewis called for the previous question, which he withdrew at the request of Senators.

Upon the question of agreeing to the amendment of the amendment the yeas and nays were recorded, and were yeas 18, nays 16.

Those who voted in the affirmative are Messrs.

Beasley, Furlow, Gaston, Gibson, Gordon, Griffin, Harris, Hill, Jackson, Kendall, Killen, Seward, Smith, Stafford, Swearingen, Ware, Winn, Wright.

Those who voted in the negative are Messrs.

Alexander, Bell, Bothwell, Boyd, Brown, Dyer, Echols, Fletcher, Hansell, James Hilliard, Jamison, Lane, Lewis, Mosely, Stephens, Vason.

So the motion prevailed.

On motion the amendmnet as amended was agreed to.

Mr. Hansell offered the following amendment, which was agreed to :

SEC. *Be it further enacted*, That to enable the Comptroller General to have the Bonds and Treasury notes of the State recorded in his office, in pursuance of the acts of the General Assembly, the Governor is hereby authorized to furnish to the Comptroller one or more Clerks, to keep up the registering of such treasury notes and bonds, and the Governor is hereby directed to draw his warrant on the Treasury for adequate compensation to such Clerk or Clerks. Such Clerk or Clerks to be selected by the Comptroller General.

The report as amended was agreed to, and said reconsidered bill as amended passed.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President* : The House of Representatives has passed the following bills of the Senate with amendments, in which they ask the concurrence of the Senate, to-wit :

A bill to be entitled "an act to amend an act entitled an act to incorporate the city of Americus in the county of Sumter, and for other purposes."

A bill to be entitled "an act to prevent the peddling of spirituous liquors in the county of Jasper."

And for a bill of the Senate entitled "an act concerning



the Superior Courts of the county of Cobb, changing the existing law in relation thereto."

The House of Representatives has adopted and passed the following substitute, to-wit:

A bill to be entitled an act concerning the Superior Courts of the counties of Lumpkin and Cobb, and changing the existing law in relation thereto, and to change the time of holding the Superior Courts of the county of Towns, and also to change the time of holding the Superior and Inferior Courts of the county of Milton, and to legalize processes returnable to said Courts.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit:

*Mr. President:* The House of Representatives have passed the following bill and resolutions, to-wit:

A bill to change the name of a volunteer corps incorporated in Talbot county, under the name of "Scott Rifles," to that of "Southern Rifles."

A resolution declaring Georgia's right of original proprietary interest and title.

*Resolutions on the State of the Republic.*

The House of Representatives have also passed the following bills of the Senate, to-wit:

A bill to be entitled an act to incorporate the Turner Mountain Copper Mining Company.

A bill to be entitled an act to relieve Wm. B. Taylor of the State of Florida, nominated Executor of Henry L. Taylor, deceased, from legal disabilities on account of his non-residence, and for other purposes, with an amendment, in which they ask the concurrence of the Senate.

A bill to be entitled an act to amend the several laws heretofore passed incorporating the city of Rome, in the county of Floyd, and to enlarge the powers of the City Council of the city of Rome, in relation to the granting of license to retail and sell liquors.

The following Message was received from the House of Representatives by Mr. Carrington their Clerk:

*Mr. President:* For the Senate bill, to-wit:

A bill to be entitled an act to change the line between the counties of Chattahoochee and Talbot, so as to include the residence of James M. Lowe in the county of Talbot; also to change the county lines between the counties of Early and Calhoun,

The House of Representatives have adopted the following as a substitute, in which they respectfully ask the concurrence of the Senate, to-wit:

A bill to be entitled an act to repeal so much of an act as was passed in the year eighteen hundred and fifty, adding lot of land No. 6, to Talbot county, and to change certain county lines, and for other purposes.

The House of Representatives have also passed the following Senate bill with an amendmant, in which they ask the concurrence of the Senate, to-wit:

A bill to be entitled an act to authorize all volunteer and other troops in the service from this State, to vote at all elections, without reference to the place where they may be at the time of such elections, and for other purposes.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate:

An act to give equal fishing privileges to all persons owning or living on water courses.

An act to appropriate money for the support of the State Lunatic Asylum for the year 1862, and for other purposes.

An act to authorize the Inferior Courts of Coffee and Berrien counties to have said counties laid off in school districts, and the Ordinaries of said counties herein directed to proportion out the school fund in *pro rata* to each district.

An act to encourage the manufacture of salt within the limits of Georgia, and for other purposes.

The rule being suspended the following Senate bills passed by the House with amendments, were taken up severally, and the amendments concurred in:

A bill to amend an act entitled an act to incorporate the city of Americus, and to alter and amend an act to incorporate the town of Americus in the county of Sumter, and for other purposes.

A bill to relieve Wm. B. Taylor, of the State of Florida, nominated executor of Henry L. Taylor, deceased, from legal disability on account of his non-residence, and for other purposes.

A bill to authorize all volunteers and other troops in the service from this State to vote at all elections, without reference to the place where they may be in service at the time of such elections, and for other purposes.

A bill to prevent the peddling of spirituous liquors in the county of Jasper.

A bill concerning the Superior Courts of the county of Cobb changing the existing law in relation thereto.

Mr. Gibson moved to reconsider so much of the Journal of yesterday as relates to the passage of the bill to encourage the improvement of stock in this State, which was agreed to.

On motion said bill was taken up and laid on the table for the balance of the session.

On motion the Senate adjourned till 3 o'clock, P. M.



## AFTERNOON SESSION.

3 O'CLOCK, P. M

On motion leave of absence was granted to the Senators from 30th and 2d districts for the balance of the session.

The rules being suspended, on motion the Senate took up the following Senate bill, reported back to the Senate with amendments, to-wit:

A bill to change the line between the counties of Chatahoochee and Talbot, so as to include the residence of Jas. M. Lowe, in the county of Talbot. Also to change the county lines between the counties of Early and Calhoun. The amendment made by the House was concurred in.

Mr. Stafford offered the following amendment, which was agreed to:

Sec. *Be it further enacted by the authority aforesaid:* That part of the plantation of Joseph A. Hill, consisting of lots of land numbers 232, 233, 236, 272, 273, 274, 317, 318, and 319, in the fourth district of Calhoun county be, and the same are hereby annexed to the county of Early. Add to caption of bill "also between the counties of Early and Calhoun."

The report as amended was agreed to. The bill as amended was passed.

The rule being suspended, on motion the Senate took up severally the following bills from the House of Representatives, as the report of the committee of the whole:

A bill to be entitled an act to authorize and require his Excellency the Governor to draw his warrant on the Treasury of this State in favor of the widow of A. J. Boggess, late Surveyor General, for the sum of four hundred and four dollars and eighty cents, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

A bill for the relief of Abner Hern, of Wilkes county, and Wesley Sheffield of Early county, and to appropriate money for the same.

The report was agreed to. The bill was read the third time and passed.

A bill to prevent Attorneys at Law who fail to pay their professional tax from practicing in the Courts of this State.

Mr. Gordon offered the following amendment: To insert after the word "cause" "or fails to pay his said taxes."

The report as amended was agreed to. The bill was read the third time and passed.

A bill to authorize John H. Wiley to draw the education-



al fund of Habersham county, and pay the same to the Board of Education of said county.

The report was agreed to. The bill was read the third time and passed.

A bill to allow the Commissioners of Spring Place to issue retail license therein and to punish for a violation of this act.

The report was agreed to. The bill was read the third time and passed.

A bill to authorize the Superintendent of the Western & Atlantic Rail Road of this State to issue change bills, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

A bill to alter the Great Seal of the State of Georgia.

The report was agreed to. The bill was read the third time and passed.

A bill to legalize the action of the Palace Mills Company of Columbus in issuing change bills.

The report was agreed to. The bill was read the third time and passed.

A bill to prevent citizens from other States from driving cattle or other stock into the counties of Murray and Fannin, in the State of Georgia, for the purpose of grazing; and to punish for the same.

The report was agreed to. The bill was read the third time and passed.

A bill to legalize the adjournments of the Superior Courts of the counties of Habersham and Banks.

The report was agreed to. The bill was read the third time and passed.

A bill to authorize Joseph H. Brown to prescribe for the cure of dropsy, and collect his fees for the same. On motion this bill was indefinitely postponed.

A bill to prescribe the proof in certain cases of open accounts in the several Courts of this State.

The report was agreed to. The bill was read the third time and passed.

A bill to legalize the orders and judgments of Ordinaries of this State where the same may be passed by them beyond the limits of the same.

The report was agreed to. The bill was read the third time and passed.

A bill to incorporate the Confederate Fire and Marine Insurance Company of Atlanta.

Mr. Hansell offered the following amendment, which was agreed to.

“Strike out all of the 7th section after the words “shall be forfeited,” and insert the words “every stockholder

shall be liable to the creditors of said Company upon all the debts and contracts of said Company to the amount of his or her stock."

The report as amended was agreed to. The bill was read the third time and passed.

A bill to incorporate in the State of Georgia an Insurance Company to be called the Great Southern Insurance Company.

The report was agreed to. The bill was read the third time and passed.

The following Message was received from the House of Representatives by Mr. Carrington, their Clerk.

*Mr. President:* The House of Representatives has passed the following bills of the Senate, to-wit:

A bill to be entitled an "act to amend an act passed December 12th, 1859, entitled an act to incorporate an insurance company, to be called the Georgia Home Insurance Company."

Also, a bill of the Senate "to incorporate in the State of Georgia an Insurance Company, to be called the Great Southern Insurance Company," with amendments thereto, in which they ask the concurrence of the Senate.

The following Message was received from the House of Representatives, by Mr. Carrington their Clerk:

*Mr. President:* I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, in which they ask the concurrence of the Senate, to-wit:

A resolution authorizing the unfinished business of this session to be in order for transaction at the next session of this General Assembly, and I am directed to transmit the same forthwith to the Senate.

The following bills from the House of Representatives were severally read the second time:

A bill to amend the tenth section of an act entitled an act to amend the several acts of this General Assembly in regard to the election of Public Printer, approved Feb. 16, 1854.

A bill to incorporate the town of Cusseta, in the county of Chattahoochee, approved Dec. 22d, 1855.

A bill to authorize the Ordinary of Towns county to turn over to the Chairman of a relief committee of said county a balance of educational fund.

A bill to be entitled an act for the relief of David Dyer, Thomas Hollis, Lester Markham, John Huff and James W. Burnsides, and other purposes.

A bill to protect the rights of Malachi Jones and Thomas Hardee, of the county of Brooks in certain lakes on their land.

A bill to levy and collect a tax for the political year 1862, and for other purposes.

On motion said bill was referred to the Committee on Finance.

A bill to exempt plaintiffs and defendants from paying verdicts and confession in bills of cost in the Superior and Inferior Courts of Scriven county.

A bill to charter the Macon Insurance Trust and Loan Company, and to confer on said Company certain rights, powers and privileges.

A bill to alter the revenue laws of this State, and for other purposes.

A bill to alter and fix the time of the meeting of the General Assembly of the State of Georgia.

A bill to authorize proceedings by injunction against any person or persons engaged in the managing, conducting, or drawing of Lotteries in this State, and for other purposes.

A bill to allow secondary proof and testimony in cases where copy wills, deeds and other papers cannot be procured, and for other purposes.

A bill to provide for the election of District Treasurers of the common school fund in the county of Dawson, and to prescribe the manner of distributing said fund, and for other purposes.

A bill to amend an act to compensate the Sheriff of Burke, Elbert and DeKalb counties, for their services in summoning Grand and Petit Jurors in said counties respectively, assented to Dec. 23d, 1836.

A bill to add an additional section to the Tenth Division of the Penal Code.

A bill for the protection of soldiers against judgments in certain cases.

A bill to alter and amend a portion of the 8th section of an act in relation to the town of Athens, assented to Dec. 22d, 1857.

A bill to confer upon John E. Morgan, Jesse McLenden and others, their associates and successors the right to conduct the business of banking upon the terms therein expressed.

A bill to authorize married women to deposite money in any Savings Bank or institution now chartered, or which may hereafter be chartered, &c.,

A bill to authorize and empower James Bozeman and William Jordan to peddle without license in their Congressional Districts except counties therein named.

A bill to repeal an act to compel persons non-residents



of the counties of Wilcox, Wayne and Irwin owning, penning and grazing stock cattle in said counties aforesaid, assented to Dec. 19th, 1859, so far as relates to the county of Wilcox.

A bill to define the manner in which suits may be instituted against Insurance Companies in this State, and to prescribe the manner in which service shall be effected upon them.

A bill to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of Elbert and Taliaferro, and to repeal all former laws providing for the same.

A bill to compensate managers of elections in the counties of Chattahoochee and Whitfield.

A bill for the relief of certain tax payers, &c.

A bill to authorize the Ordinary of White county to pay C. H. Kytle for teaching poor children in the county of White.

A bill for the better government of free negroes and slaves in the towns of Louisville and Clarksville.

A bill to amend an act to approve, endorse and make of force in the State of Georgia, a revised Code of Laws, &c., assented to Dec. 19, 1860.

A bill to continue an Eclectic Board of Physicians and to locate the same in the town of Athens, Georgia.

A bill to authorize and empower the Justices of the Inferior Courts of this State to discharge criminals or offenders against the law from jail in certain cases, and also to discharge defendants in certain cases, approved Dec. 29, 1857.

A bill to authorize the Justices of the Inferior Courts and Ordinaries of the several counties to appoint some fit and proper person to open and adjourn such Courts in the absence of the officer to do so.

A bill to authorize the removal of Timber Cutters' Bank.

Mr. Harris, Chairman of the Committee on Agriculture, presented certain resolutions to the Senate, which had been referred to said Committee, but which had not been acted on, for the reason that said Committee thought action thereon, owing to their subject matter, would be productive of no good, and begged that the Committee be discharged from any further consideration thereof; which motion was agreed to.

On motion the Senate adjourned till 7 o'clock, P. M.

7 O'CLOCK, P. M.

The Senate met according to adjournment.

Hon. Weir Boyd in the Chair.

The Senate took up so much of the message of the House of Representatives as relates to a resolution respecting the disposition of unfinished business at the close of the session.

Mr. Killen moved to postpone said resolution indefinitely, which motion did not prevail.

Mr. Ware moved to lay said resolution on the table for the present, which motion was lost.

Mr. Stafford moved to adopt said resolution, which motion was lost.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to authorize John W. Wiley to draw the educational fund of Habersham county, and pay the same to the Board of Education of said county,

An act to legalize the orders and judgments of Ordinaries of this State, where the same may be passed by them beyond the limits of the State.

An act to authorize and require his Excellency the Governor to draw his warrant on the Treasury of this State in favor of the widow of A. J. Boggess, late Surveyor General, for the sum of five hundred and four dollars and eighty cents, and for other purposes.

An act to prescribe the proofs in certain cases of open accounts, in the several Courts of this State.

An act to authorize the commissioners of the town of Spring Place, in the county of Murray, to issue license for the retail of spirituous liquors, and to fix the amount of the license for the same, and to punish for selling without license.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled, and ready for the signature of the President of the Senate—

An act to incorporate an Insurance Company in the city of Savannah, to be called the Southern Insurance Company.

An act to authorize the Receiver or Receivers appointed under the sequestration act of the Confederate States to bring suits on all claims of alien enemies sequestered in any of the Courts of this State, and to maintain all suits which are now pending in any of the Courts, and for other purposes.

An act to authorize the city Council of Augusta to fix the salary of the Judges of the City Court of said city.

An act to make valid the doings and actings of Augustus B. Raiford and Sterling Glover, as Deputy Sheriffs of the county of Sumter.

An act to amend the act approved 11th December, 1858, to compel the Judges of the Superior Courts of each Circuit in the State to hold adjourned terms in every county within their Circuit, where the business requires, until the docket is cleared, and for other purposes.

An act to provide for the appointment of new Assignees and Trustees, in certain cases.

An act to make valid the proceedings of the Justices of the Inferior Court of Richmond county, and providing for the indigent families of absent soldiers, and to authorize said Justices to raise money for that purpose.

An act to authorize the Georgia Mutual Insurance Company.

An act to prevent during the existing war, monopolies, and speculation in breadstuffs, and other articles of general use and consumption, and to make such acts criminal, and to provide penalties for the same.

An act to amend an act entitled an act to authorize the settlement of criminal prosecutions in certain cases, and regulate more particularly the duties of the Attorney and Solicitor General, and fix their liabilities—approved February 22d, 1850.

An act to incorporate the Cotton Planters' Bank of Georgia, to give steadiness to the value of cotton, to make it available as the basis of a sound circulating medium for the relief of the industrial interests of the country, and at the same time to enable the planters to control their own cotton until the blockade now attempted to be enforced is removed, to guard the planters against an unavoidable necessitous sale of their cotton at less than remunerating prices, and against sacrifices alike detrimental to their interest consequent upon their being forced to draw upon and accept inadequate advancements upon their crops, paying heavy commissions, interests, insurance, and storage, ruinous to the producers of this great Southern staple, and for other purposes.

An act to amend the several laws heretofore passed incorporating the city of Rome, in the county of Floyd, and to enlarge the powers of the City Council of the city of Rome, in relation to granting of license to retail and sell liquors.

An act to prevent the peddling of spirituous liquors in the counties of Jasper, Burke, Whitfield, and Scriven.

An act to authorize all volunteers and other troops in the service from this State to vote at all elections without



regard to the place where they may be in service at the times of such elections, and for other purposes.

An act to amend an act entitled an act to incorporate the city of Americus, and to alter and amend an act to incorporate the town of Americus in the county of Sumter.

An act to amend an act passed December 12th, 1859, entitled an act to incorporate an Insurance Company in the city of Columbus, to be called the Georgia Home Insurance Company.

An act to relieve Wm. B. Taylor, of the State of Florida, nominated executor of Henry L. Taylor deceased, from legal disability, on account of his non-residence.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President* :—The House of Representatives have concurred in the Senate amendments to the following Home bills to-wit:

A bill to be entitled an act to prevent attorneys at law who fail to pay their professional tax, from practicing in the Courts of this State.

A bill to be entitled an act for the relief of Abner Hern, of the county of Miller, and Wesley Shuffield, of the county of Early, and to appropriate money for the same;

And have refused to concur in the Senate's amendment to a substitute of the House for a Senate bill to be entitled an act to repeal so much of an act passed in the year 1850, adding lot of land No. 6, to Talbot county, and to change certain county lines, and for other purposes, and respectfully ask the Senate to recede from the same.

The following message was received from his Excellency the Governor by Mr. Waters his Secretary to-wit :

*Mr. President* :—The Governor has approved and signed the following acts, to-wit :

An act to relieve certain persons from the pains and disabilities of a judgment of divorce.

An act to direct and empower the Inferior Court of Stewart county to levy, collect, and disburse an extraordinary tax, for the support of the indigent families of such soldiers as have gone, or may hereafter go into the service of the Confederate States or the State of Georgia, and to appoint commissioners to disburse said tax, and to legalize the orders or judgment which levied such extraordinary tax for the year 1861, and provide for the collection of the same.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President* :—The House of Representatives has passed the following bill of the Senate, to-wit :

A bill to be entitled an act for the relief Solomon Newsome, of Lowndes county, and for other purposes; and I am directed to transmit the same to the Senate forthwith.

The rule being suspended, the Senate took up as the report of the committee of the whole,

A bill to incorporate a bank in the city of Savannah, to be called the Bank of the Cotton Planters Convention of the State of Georgia.

On motion said bill was laid upon the table for the present.

On motion, the resolutions from the House on the State of the Republic, were taken up and agreed to.

Also, House resolutions declaring Georgia's right of original proprietary interest and title.

Also, House resolution memorializing Congress to establish a weekly mail line between certain points in Georgia.

The rule being suspended, the Senate took up Senate resolution respecting the disposition of the unfinished business at the close of the session, which, on motion, was indefinitely postponed.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk:

*Mr. President:* The House of Representatives have passed the following bills of the Senate, which I am directed to transmit forthwith to the Senate, to-wit:

A bill to be entitled an act for the relief of Moses Formby, of the county of Floyd, a school teacher under the acts in relation to common schools.

A bill to be entitled an act to amend an act entitled an act to provide for the public defence, and for other purposes, assented to December 17th, 1860.

A bill to be entitled an act to legalize and make valid the sale by herself of a certain free woman of color therein named, into a state of slavery.

The House of Representatives has also concurred in the amendment of the Senate, with an amendment thereto, to a bill of the House of Representatives, entitled an act to incorporate the Confederate Fire & Marine Insurance Company of Atlanta.

#### REPORT OF COMMITTEE ON FINANCE.

The Committee on Finance of the Senate and House of Representatives have, through sub-committees, examined into the condition of the Comptroller General's and Treasurer's offices, and have instructed me to report the balances and checks all properly kept, and that the Executive warrants and vouchers in the Treasury Department are all satisfactory.

(Signed)

M. W. LEWIS, Chairman.

## REPORT OF COMMITTEE ON BANKS.

The Committee on Banks have had referred to them, at various times during this session, a number of bills proposing to increase the banking capital of this State by the charter of an additional number of banks. Your committee have generally refrained from any recommendation upon the subject, contenting themselves with the addition of proper clauses in all the charters referred, and reserving the privilege of individual action upon the general policy of increasing the banking capital.

Your committee, however, have had before them the reports of the several banks to the Executive, which disclose the existence of a banking capital so much larger than is generally supposed, that your committee believe it will be a matter of general interest and public utility to place on the Journals the following summary, carefully prepared from official documents.

They therefore recommend that this report, together with the summary hereto appended, be spread upon the Journals of the Senate.

Respectfully submitted,

GEORGE A. GORDON,  
Chairman.

The entire Bank Capital returned to the Executive Department, .....	\$12,781,973 48
Add to this, banks in existence which have made no return.....	535,550 00
	<hr/>
	\$13,317,523 48

By charters now in existence, the Capital may be increased.....	4,416,800 00
	<hr/>
	\$17,734,320 48

— which is the entire public Banking Capital.

The entire circulation.....	\$8,152,870 34
Specie.....	1,767,082 76

5,000,000.00 additional circulation, your committee is informed, has been issued since the above report, for the use of the Confederate States. If this be so, the total circulation is.....

\$13,152,870 34

By the charter of most of the Banks, they are permitted to issue three dollars for every one of capital paid in.

The circulation of the present Banks may, therefore, be.....

\$53,202,970 44



The following message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit :

*Mr. President:*—The House of Representatives have concurred in certain amendments of the Senate to a bill of the House entitled

A bill to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes.

The House has also concurred in certain other amendments of the Senate, with amendments thereto, to said bill, in which they ask the concurrence of the Senate, and have disagreed to certain amendments of the Senate to said bill, from which they respectfully ask the Senate to recede.

The rule being suspended, the Senate took up the message of the House of Representatives as relates to the bill to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government during said year, and to make certain specific appropriations.

The Senate adhered to its amendment, adding sections 17, 20, 21.

The Senate concurred in House amendment, adding proviso to the 19th section.

Also, in House amendment, striking out in the section making appropriations for commissioners from Georgia to divers States, "three hundred," and inserting in lieu thereof the words "two hundred."

Pending the consideration of said bill, on motion the Senate adjourned till 9½ o'clock to-morrow morning.

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SATURDAY, DECEMBER 14TH, 1861, }  
9½ O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Boyd.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President:* The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to be entitled an act to prescribe the bond of the Tax Receiver and Collector, and for other purposes.

Also, a bill to be entitled an act to prevent trading with the enemy in time of war, either in this State or a port of any other State.

A bill to be entitled an act for the relief and protection of the rights and property of the minor children of Stephen McBride, of Haralson county.

A bill to amend an act assented to 19th day of December, 1860, in relation to the road laws of Camden county.

Also, to repeal an act entitled an act to authorize the Inferior Court of Early county to levy a road tax, approved December 13th, 1860.

A bill to be entitled an act to authorize Elmira Mathews; a free person of color to sell herself into perpetual slavery.

A bill to be entitled an act to incorporate the Direct Trading & Navigation Company of Georgia, and for other purposes.

Also, a bill to be entitled an act to legalize the proceedings of G. J. Green clerk of Ordinary in Spalding county.

Also, a bill to be entitled an act to incorporate the Town Creek & Ralston's Branch Hydraulic Hose Mining Company.

Also, a bill to be entitled an act for the relief of the several banks in the State of Georgia, which have made advances to the State upon bonds or other contracts, and for other purposes.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President :* The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to be entitled an act to provide for the safety of property or funds in the hands of guardians, administrators and administratrixes.

A bill to be entitled an act to add an additional section to the Penal Code of Georgia.

A bill to be entitled an act to repeal an act entitled an act to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the Superintendents, Clerks, and those who consolidate returns of elections of said county for their services, assented to December 16, 1857.

## REPORT OF COMMITTEE ON FINANCE.

The Committee on Finance have considered the bill referred to them to be entitled an act to levy and collect a tax for the political year 1862, and for other purposes, and recommend that the same be amended by striking out the words "six hundred thousand" and inserting in lieu thereof "one million," and that said bill thus amended do pass.

(Signed) M. W. LEWIS, Chairman.

The rule being suspended on motion the Senate took up the following bills, severally, from the House :

A bill to be entitled an act to authorize the Ordinary of

Towns county to turn over to the chairman of a Relief Committee of said county a balance of Educational fund.

The report was agreed to, the bill was read the third time and passed.

A bill to add an additional section to the tenth Division of the Penal Code.

Mr. Gordon offered the following amendment, which was agreed to:

Amend caption by inserting after the word "tenth" the words "and 13th Division" of the Penal Code.

*Be it further enacted*, That from and after the passage of this act the following section shall be added to the 13th Division of the Penal Code, to-wit: That if any slave or free person of color shall wilfully destroy or in any manner hurt, damage, injure or obstruct, or shall aid and assist in any way whatever to hurt, injure or obstruct any rail-road in this State, or any branch thereof, or any bridge connected therewith, or any vehicle, edifice, car carriage or engine of any of said rail-roads or shall without the consent of the company move or in any way interfere or meddle with any gate, switch, sideling or other appurtenance to any such rail-road such slave or free person of color so offending shall and may be indicted and on conviction shall be punished with death.

The Judiciary Committee to whom was referred certain bills ask leave to make the following report, to-wit:

A bill to be entitled an act for the relief of William Ernest, of the county of Polk, with the recommendation that the same do pass.

Also, a bill to be entitled an act to provide for the appointment of a Compiler of the Laws, with a recommendation that the same do not pass.

On motion the Senate took up the bill for the relief of William Ernest in said report named.

Mr. Jackson offered the following amendment which was lost:

Strike out the whole sum to be paid, and insert in lieu thereof "the grant fee be paid as required in said bill with interest, &c., and no more."

The report was agreed to.

On the question shall this bill pass? the yeas and nays were recorded, and were yeas 19, nays 10.

Those who voted in the affirmative were—

Messrs. Boyd, Brown, Dyer, Fletcher, Furlow, Gaston, Gibson, Gordon, Griffin, Hausell, Harris Hill, Jamison, Killen, Seward, Smith, Swearingen, Vason, Ware, Wright.



Those who voted in the negative are—

Alexander, Beasley, Bell, Bothwell, James Hilliard, Jackson, Kendall, Lane, Mosely, Stephens, Winn.

Yeas 19, nays 11. So the bill was passed.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President :* The House of Representatives has passed the following bills of the Senate, with amendments thereto, in which they ask the concurrence of the Senate, to-wit :

A bill to be entitled an act to amend an act incorporating the Bank of Fulton.

A bill to be entitled an act to exempt practising physicians and millers in the county of Jefferson from road and jury duty, and for other purposes.

A bill to be entitled an act to settle conflicts of the Code of this State with the acts of the last General Assembly, and for other purposes.

The Senate took up, severally, as the report of the committee of the whole the following bills from the House of Representatives :

A bill to alter the revenue laws of this State, and for other purposes therein named.

The report was agreed to ; the bill was read the third time and passed.

A bill to authorize the removal of Timber Cutters Bank.

The report was agreed to ; the bill was read the third time and passed.

A bill to provide for the appointment of a Compiler of the Laws.

The Judiciary Committee to whom this bill was referred reported adversely to its passage.

The report was agreed to, and the bill was lost.

A bill to levy and collect a tax for the political year 1862, and for other purposes.

The Committee on Finance to whom this bill was referred reported the same back to the Senate with an amendment, and recommended that said bill as amended do pass.

The amendment reported by said Committee was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate resumed the consideration of the unfinished business of the last adjournment, to-wit :

A bill to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes.

Mr. Lewis moved to concur in the amendment of the House of Representatives in the nature of a proviso to the

Senate amendment of the report of the Committee of Conference, striking out the word "one" and inserting in lieu thereof the word "five" before the word "millions."

Which proviso is as follows :

*Provided*, That the Governor of the State be and he is hereby authorized and instructed to tender to the Confederate Government the volunteer forces called into service under the law of 1860, or which may hereafter be called into service for the State defence, in companies, battalions, regiments, brigades, or divisions, as may be found to be acceptable to the War Department of the Confederate States;

*Provided*, That the Confederate States will receive them for the term of their enlistment, and for local defence in this State, under the act of Congress to provide for local defence and special service, approved on the 21st day of August, A. D. 1861; *And provided further*, That if the Confederate authorities shall not accept said troops in that event the troops shall remain in service as State troops under the terms of their enlistment; *And provided further*, That such tender shall be made so far as the troops now in the State service are concerned before any of said appropriation shall be raised or expended except one million of dollars.

On the question of concurring in said amendment the yeas and nays were recorded and were yeas 14, nays 18.

Those who voted in the affirmative were—Messrs.:

Alexander, Bell, Bothwell, Boyd, Dyer, Fletcher, Hansell, James Hilliard, Jamison, Lane, Lewis, Mosely, Stephens, Vason.

Those who voted in the negative were—Messrs.:

Beasley, Brown, Furlow, Gaston, Gibson, Gordon, Griffin, Harris, Hill, Jackson, Kendall, Killen, Seward, Smith, Swearingen, Ware, Winn, Wright.

Yeas 14, nays 18. So the proviso of the House was not agreed to.

Mr. Gordon offered the following amendment :

SEC. —. *And be it further enacted*, That the further sum of one hundred thousand dollars be and the same is hereby appropriated for the relief of the unfortunate sufferers by the calamitous fire in Charleston, South Carolina, and that the Governor be authorized to tender said amount for the above purpose to the Governor of South Carolina, with the sincere sympathies of this General Assembly in the misfortune of their seaport city.

Which amendment was taken up and passed by a Constitutional majority, the yeas being 26, and the nays being 4.

Those who voted in the affirmative were—Messrs.:

Alexander, Beasley, Bothwell, Boyd, Brown, Dyer, Flet-



cher, Furlow, Gaston, Gibson, Gordon, Griffin, Hansell, Harris, Hill, James Hilliard, Jamison, Kendall, Killen, Lane, Mosely, Seward, Smith, Swearingen Vason, Winn.

Those who voted in the negative were—Messrs.:

Bell, Jackson, Stephens, Wright.

Messrs. Lewis and Ware were excused from voting.

So the amendment was passed by a Constitutional majority.

The following message was received from His Excellency the Governor by Mr. Waters, his Secretary, to-wit:

*Mr. President:* I am directed by His Excellency the Governor to deliver to the Senate a communication in writing, with accompanying document.

Message from the Executive with accompanying documents:

EXECUTIVE DEPARTMENT, }  
Milledgeville, Ga., December 13th, 1861. }

*To the General Assembly:*

I have the honor to lay before you for consideration, a series of resolutions adopted by the Legislature of the State of Tennessee, and transmitted to me by the Governor with the request that they be laid before your honorable body.

(Signed) JOSEPH E. BROWN.

### JOINT RESOLUTIONS

TO TAKE STEPS TO OPEN THE PORTS OF THE SOUTH TO THE COMMERCE OF THE WORLD.

*Resolved by the General Assembly of the State of Tennessee,* That as the sense of this Legislature, the following propositions are submitted for the consideration of the Planters of the South, and all whom it may concern:

1ST. That the present cotton crop of the Southern States is, to at least two of the leading powers of Europe a *national necessity*.

2ND. That, as under present circumstances, it seems improbable that this crop can be disposed of, the planting of another will place two crops on hand for sale at once.

3RD. That the purchase of these two crops by the European Powers above referred to will give them a supply for two years, so that at any time when about to purchase the third crop, and having one year's stock to run upon, and the planter being unable to hold his third crop until they are compelled to buy, they will have it in their power to dictate the price and terms of sale.



4TH. That on the other hand, the European Powers before mentioned having exhausted their present supply and another crop not being raised when those Powers come into the market to buy as they *must* and *will*, if we adopt this policy, the planters holding the great staple, which is a necessity to them, they will not only be *compelled to buy*, but also to pay a remunerative price.

5TH. The armies of the South cannot subsist on cotton, but must have bread and meat, and while the interest of the Cotton Planter calls to him to plant no more cotton than will supply the home consumption, patriotism imperatively demands that his whole force should be turned into those channels in which he can contribute to the wants and wastes of a war of which none can predict the end.

6TH. That the vital interests herein involved may be submitted to the enlightened judgment of the South, the Governor of this State is requested to forward forthwith a copy of these resolutions to the President of the Confederate States, who is herein requested to submit them to Congress, and also to the several Governors of the Confederate States who are herein requested to submit them to their respective Legislatures when convened.

(Signed)

EDWIN A. KEEBLE,

Speaker of the House of Representatives.

EDWIN S. CHEATHAM,

Speaker of the Senate.

Adopted November 30th, 1861.

#### REPORT OF COMMITTEE ON AGRICULTURE.

*Resolved*, The House concurring, 1st. That in the opinion of this General Assembly, the disinterested spirit of fraternity and regard for the common welfare breathed in the resolutions of the State of Tennessee, now under consideration, is worthy of all admiration and of all emulation.—

We would assure the General Assembly of Tennessee, and through that body the people of the State, that the people of Georgia warmly reciprocate the kind spirit so manifest, not only in the resolutions, but in all the acts of Tennessee towards her sister Confederate States. To the other Confederate States of America we also take occasion to extend the friendly greetings of Georgia; we would assure them that while we honor Tennessee for the sagacity as well as patriotism of the proposition under consideration, we, and the people we represent, sincerely cherish for each of them the warmest sentiments of admiration and amity—a common cause, a common destiny, the common suffering of our soldiery in the field, side by side with each other, keep us all continually reminded that *we are brethren*.

*Resolved* 2d. The proposition of Tennessee meets the hearty concurrence of our judgment and we recommend the poli-

cy therein set forth to the careful consideration of every planter in Georgia.

*Resolved 3d.* That the resolutions of Tennessee be entered on our Journal together with these resolutions, and the Governor is hereby requested to transmit these Resolutions to the Governor of Tennessee, with a request that he deliver the same to the General Assembly of that State.

(Signed) B. T. HARRIS, Chairman.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President:* The House of Representatives have passed the following bills of the Senate which I am directed to transmit forthwith to the Senate, to-wit:

A bill to be entitled an act to regulate foreign exchange.

Also, A bill to be entitled an act for the relief of Sumner W. Baker and Soloman B. Smith, executors on the estate of Benjamin Lane deceased, late of the county of Lowndes.

Also, a bill to be entitled an act to make effectual the second section of the fourth article of the Constitution of the State of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in action of divorce shall be determined.

A bill to be entitled an act to authorize continuance of causes pending in the Superior and Inferior Courts and City Courts of this State during the war, in certain cases.

A bill to be entitled an act to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes, assented to December 11th, 1858.

A bill to be entitled an act to suspend the statute of limitations, and for other purposes.

The House of Representatives has also concurred in the amendment of the Senate to a bill of the House to be entitled an act to levy and collect a tax for the political year 1862, and for other purposes.

The House of Representatives has also concurred in the amendments of the Senate to a bill of the House of Representatives to be entitled an act to add an additional section to the tenth Division of the Penal Code.

The House of Representatives has also adopted "resolutions to take steps to open the ports of the South to the commerce of the world," in which they ask the concurrence of the Senate.

The following message was received from His Excellency the Governor by Mr. Waters, his Secretary, to-wit:

*Mr. President:*—I am directed by his Excellency the Governor to deliver to the Senate a communication in writing:



EXECUTIVE DEPARTMENT, }

Milledgeville, Georgia, Dec. 14th, 1861. }

*To the General Assembly :*

I have learned with painful regret that a large portion of the city of Charleston, in our noble sister State, is destroyed by fire. This is a calamity which is not confined to South Carolina, but is common to us all. The individual suffering resulting from it, must be very great. Large numbers of the poor of that noble city are deprived of all they possessed, and are left without home or shelter, while others of larger means have been reduced to poverty in a single day.

This misfortune has befallen them at a time when they are threatened by sea and land by a powerful and relentless enemy. No doubt the Legislature of their own State will do all in their power for the relief of the sufferers; but with the other heavy burdens now pressing upon South Carolina in common with her Southern sisters, I think it proper that each should consider the calamity as a common one, and that each should do something for the relief of the sufferers. Humanity combines with fraternal relations in making this our duty. Had the calamity befallen Savannah or any other city of Georgia, I doubt not our sister State would have been the first to come to the assistance of the sufferers.

I recommend that an appropriation of one hundred thousand dollars, or such other sum or sums as you may deem proper, be immediately made and placed at the disposal of the Governor of South Carolina, for the relief of the suffering poor of the city of Charleston, whose sufferings have been produced by the conflagration.

(Signed)

JOSEPH E. BROWN.

The Senate took up, severally, the following bills from the House of Representatives as the report of the committee of the whole,

A bill to confer upon John E. Morgan, Jesse McClendon, and others, their associates and successors, the right to conduct the business of Banking upon the terms therein expressed.

The report was agreed to.

On the question of the passage of the bill the yeas and nays were recorded, and were yeas 16, nays 8.

Those who voted in the affirmative were :

Messrs. Alexander, Beasely, Bell, Bothwell, Brown, Dyer Furlow, Gaston, Griffin, Hansell, Harris, Jamison, Mosely, Seward, Swearengin, Vason.



Those who voted in the negative were :

Messrs. Boyd, Gordon, Hill, James Hilliard, Jackson, Killen, Lewis, Stephens.

Yeas 16, nays 8. So the bill was passed by the Constitutional majority of two-thirds.

A bill to authorize and empower James Bozeman and William Jordan to peddle without license in their Congressional district, except counties therein named.

Mr. Kendall offered to amend said bill by striking out the county of Harris, which was agreed to.

The report as amended was agreed to; the bill was read the third time and passed.

A bill to amend an act to incorporate the town of Cusseta in the county of Chattahoochee; approved December 22d, 1855.

The report was agreed to; the bill was read the third time and passed.

A bill to alter and fix the time of the meeting of the General Assembly of the State of Georgia.

Mr. Lewis offered the following amendment, which was agreed to :

Strike out "Tuesday" and insert "Thursday."

The report as amended was agreed to; the bill was read the third time and passed.

A bill to authorize married women to deposit money in any Savings Bank or Institution now chartered, or which may hereafter be chartered by this State, and for other purposes therein mentioned.

The report was agreed to; the bill was read the third time and passed.

A bill to amend and act to be entitled an act to compensate the Sheriffs of Burke, Elbert and DeKalb counties, for their services in summoning Grand and Petit Jurors in said counties respectively; assented to December 23d, 1856.

The report was agreed to; the bill was read the third time and passed.

A bill to authorize proceedings by injunction against any person or persons engaged in the managing, conducting or drawing of Lotteries in this State, and for other purposes.

The report was disagreed to, and the bill was lost.

A bill to provide for the election of District Treasurers of the common school fund in the county of Dawson, and to describe the manner of distributing said fund, and for other purposes.

The report was disagreed to, and the bill was lost.

A bill to alter and amend the tenth section of an act entitled an act to amend the several acts of the General Assem-

bly in regard to the election of Public Printer; approved February 16, 1854.

The report was agreed to; the bill was read the third time and passed.

A bill to protect the rights of Malichi Jones and Thomas Hardee, of the county of Brooks, in certain lakes on their lands.

The report was agreed to; the bill was read the third time and passed.

A bill to exempt plaintiffs and defendants from paying verdicts and confession in bills of cost in the Superior and Inferior Courts of Scriven county.

The report was agreed to; the bill was read the third time and passed.

A bill to charter the Macon Insurance Trust and Loan Company, and to confer on said Company certain rights powers and privileges.

The report was agreed to; the bill was read the third time and passed.

A bill to alter and amend a portion of the 8th section of an act in relation to the town of Athens; assented to December 22d, 1857.

The report was agreed to; the bill was read the third time and passed.

A bill to allow secondary proof and testimony in cases where Copy Wills, Deeds, and other papers cannot be procured, and for other purposes.

The report was agreed to; the bill was read the third time and passed.

A bill for the relief of certain Tax Payers, &c.

On motion, said bill was infinitely postponed.

A bill to compensate managers of elections in the counties of Chattahoochee and Whitfield.

The report was agreed to; the bill was read the third time and passed.

A bill to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of Elbert and Taliaferro, and to repeal all former laws providing for the same.

The report was agreed to; the bill was read the third time and passed.

A bill to define the manner in which suits may be instituted against Insurance Companies in this State, and to prescribe the manner in which service shall be effected upon them.

The report was agreed to; the bill was read the third time and passed.

A bill to repeal an act to compel persons non-residents of the counties of Wilcox, Wayne, and Irwin, owning penning and grazing stock-cattle in said counties aforesaid, as-

sented to December 19th, 1859, so far as relates to the county of Wilcox.

The report was agreed to; the bill was read the third time and passed.

A bill to authorize the Justices of the Inferior Courts and Ordinaries of the several counties, to appoint some fit and proper person to open and adjourn such Courts in the absence of an officer to do so.

The report was agreed to; the bill was read the third time and passed.

A bill for the protection of Soldiers against judgments in certain cases.

The report was agreed to; the bill was read the third time and passed.

A bill to regulate the collection of Jury fees in the Superior and Inferior Courts of the counties of Talbot, Chatahoochee, Putnam, Habersham, Polk, Bibb and Dougherty.

The report was agreed to; the bill was read the third time and passed.

A bill for the relief of Thomas Dyer, Thomas Hollis, Lester Markham, John Huff, and James W. Burnside, &c.

The report was agreed to; the bill was read the third time and passed.

A bill for the better government of free negroes and slaves in the towns of Louisville and Clarksville.

The report was agreed to; the bill was read the third time and passed.

A bill to amend an act to approve, endorse and make of force in the State of Georgia a revised Code of the laws, &c.; assented to December 19, 1860.

Mr. Gordon offered the following amendment, which was agreed to:

Strike out "1st July, 1861," and insert in lieu thereof, "1st January, 1863."

The report as amended was agreed to; the bill was read the third time and passed.

A bill to authorize the Ordinary of White county to pay C. H. Kytle for teaching poor children in the county of White.

The report was agreed to; the bill was read the third time and passed.

A bill to authorize and empower the Justices of the Inferior Courts of this State to discharge criminals, or offenders against the law, from jail in certain cases, and also to discharge defendants in certain civil cases.

The report was agreed to; the bill was read the third time and passed.

The Senate took up the message from the House relating to an amendment by the Senate, to the bill to alter and



make uniform the present Statutes of this State, in regard to payment of Grand and Petit Jurors, and for other purposes ; and of the refusal of the House to concur in said amendment, and requesting the Senate to recede therefrom.

On motion, the Senate receded from said amendment.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President :* The House of Representatives have receded from all the amendments, upon which the Senate insists, to "a bill to provide for raising a revenue for the political year 1862, and to appropriate money for the support of government during said year, and to make certain special appropriations, and for other purposes therein named ;" except the proviso of the House to the amendment of the Senate, which appropriates five million of dollars as a military fund, upon which proviso the House of Representatives insist and ask for a committee of Conference thereon, and have appointed as such committee, on the part of the House, Messrs. Cabaniss, Brown of Coweta, Moore of Thomas, Cochran of Wilkinson, and Lester ; and ask the appointment, on the part of the Senate, of a committee to confer with the committee of the House.

Mr. Bothwell of the enrolling committee, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to alter the Revenue laws of this State, and for other purposes therein mentioned.

An act to add an additional section to the tenth and thirteenth divisions of the Penal Code.

An act for the relief of William E. West, of the county of Polk.

An act to levy and collect a Tax for the political year 1862, and for other purposes.

An act to authorize the removal of Timber Cutters Bank, and for other purposes.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President :* The House of Representatives have adopted the following resolution, in which they ask the concurrence of the Senate, to-wit :

Resolutions recommending the Planters of this State to reduce the quantity of the cotton crop, &c.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following bills of the House of Representatives, to-wit :

An act to prevent citizens of other States from driving cattle or other stock into the counties of Murray and Fannin, in the State of Georgia, for the purpose of grazing, and to punish for the same.

An act to alter the great Seal of the State of Georgia.

An act for the relief of Abner Hern, of Miller county, and Wesley Shuffield, and Wm. J. Bush, of Early county, and to appropriate money for the same.

An act to legalize the adjournment of the Superior Courts of the counties of Habersham and Banks.

An act to legalize the action of the Palace Mills Company of Columbus, in issuing change bills.

Also, an act to prevent attorneys at law who fail to pay their professional tax from practicing in the Courts of this State.

Also, an act to authorize the Superintendent of the Western & Atlantic Railroad of this State to issue change bills, and for other purposes.

Mr. Dyer, chairman of the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate :

Resolutions on the state of the Republic.

Resolutions declaring Georgia's ancient permanent right and original proprietary interest and title in and to all the lands within the limits of the State.

Resolution requesting our Senators and Representatives in Confederate Congress to have a certain mail right established in this State.

Also, an act to incorporate the Confederate Fire & Marine Insurance Company of Atlanta.

An act to be entitled an act to authorize the Ordinary of Towns county to turn over to the Chairman of a Relief Committee of said county a balance of educational fund.

Mr. Dyer, Chairman of the Committee on Enrollment, reports as duly enrolled and ready for the signature of the President of the Senate—

An act to add an additional section to the Penal Code of Georgia.

An act to authorize Elmyra Matthews, a free person of color, to sell herself into perpetual slavery.

An act to provide for the safety of property or funds in the hands of Guardians, Administrators, or Administratrix.

An act for the relief of the several banks in the State of Georgia, which have made advancements to the State upon bonds or other contracts, and for other purposes.

An act for the relief and protection of the rights and pro-

perty of the minor children of Sophia McBride, of Haralson county, Georgia.

An act to amend an act assented to the 19th day of December, 1860, in relation to the road laws of Camden county.

Also, to repeal an act entitled an act to authorize the Inferior Court of Early county to levy a road tax, approved December 13th, 1859.

An act to repeal an act to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the Superintendents, Clerks, and those who consolidate returns of elections of said county, for their services, assented to December 16th, 1857.

An act to amend an act entitled an act to provide for the public defence, and for other purposes, assented to December 18th, 1860.

An act to prevent trading with the enemy in time of war, within this State, or a port of any other State.

An act to incorporate the Direct Trading & Navigation Company of Georgia, and for other purposes.

An act to prescribe the bond of Tax Receiver and Collector, and for other purposes.

An act to incorporate the Town Creek and Ralston Branch Hydraulic Hose Mining Company.

An act for the relief of Moses Formby, of the county of Floyd, a school teacher under the acts in relation to common schools.

An act to legalize the proceedings of J. G. Green, Clerk of the Ordinary of Spalding county.

An act concerning the Superior Courts of the counties of Lumpkin and Cobb, and changing the existing laws in relation to thereto, and to change the time of holding the Superior Courts of the county of Towns, and also to change the time of holding the Superior and Inferior Courts of the county of Milton, and to legalize processes returned to the said Courts.

An act for the relief of Solomon Newson, and for other purposes.

An act to incorporate in the State of Georgia an Insurance Company, to be called the Great Southern Insurance Company.

An act to exempt practicing physicians and millers in the county of Jefferson from military duty, and for other purposes.

An act to amend an act incorporating the Bank of Fulton.

An act to settle the conflicts of the Code of this State with the acts of last General Assembly, and for other purposes.

On motion the Senate adjourned until 3½ o'clock, P. M.



## AFTERNOON SESSION, 3½ O'CLOCK, P. M.

The Senate met according to adjournment.

The following message was received from the House of Representatives, by Mr. Carrington their Clerk, to-wit :

*Mr. President :* The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to be entitled an act to provide for the reduction of the salaries of the officers and employees of the Western & Atlantic Railroad.

A bill to be entitled an act more effectually to organize the Georgia Institution for the education of the Deaf and Dumb, and for other purposes.

A bill to be entitled an act to authorize Guardians, Trustees, Executors, and Administrators, to invest in Confederate States bonds and in land and negroes.

Also, a bill to be entitled an act to incorporate the Georgia Telegraph Company, with an amendment, in which they ask the concurrence of the Senate.

Also, a bill to be entitled an act to authorize the Justices of the Inferior Courts to issue bonds and borrow money in certain cases, with an amendment, in which they ask the concurrence of the Senate.

The House of Representatives have also concurred in the amendment of the Senate to the following bill of the House to-wit :

A bill to be entitled an act to authorize and empower James Bozeman and William Jordan to peddle without license in the third Congressional District, except counties therein named.

The rule being suspended, the Senate took up the message of the House announcing its adherence to an amendment to the general appropriation bill, and that the House had appointed a committee of conference on the matter of difference between the two houses respecting said amendment, and requesting the Senate to appoint a like committee :

Mr. Gordon offered the following resolution which was adopted :

*Resolved*, that a committee of three be appointed by the President of the Senate to confer with the committee of conference appointed by the House to consider the disagreement between the two houses on the subject of the appropriation bill.

The President appointed as said committee on the part of the Senate—

Messrs. Gordon, Vason, and Harris.

The Senate entered upon the consideration of the unfinished business of the last adjournment, to-wit :

A bill to constitute an Electic Board of Physicians, and to locate the same in the town of Athens, Georgia.

Mr. Kendall offered the following amendment, which was lost :

*And be it further enacted by the authority of the same, That hereafter, any individual in this State, male or female—white, Indian, or free negro,—be allowed to practice medicine according to any system, or no system, for the cure of disease, and that he or she be and is hereby authorized to charge and collect fees for the same : Provided, That he or she pay into the public Treasury an annual tax of five dollars.*

The report was agreed to.

On the question, Shall this bill pass? the yeas and nays were recorded, and were yeas 13, nays 11.

Those who voted in the affirmative were—

Messrs. Alexander, Bell, Boyd, Brown, Fletcher, Furlow, James Hilliard, Jackson, Lane, Lewis, Mosely, Stephens, Wright.

Those who voted in the negative were—

Messrs. Bothwell, Gaston, Gibson, Griffin, Hill, Jamison, Kendall, Smith, Swearengin, Ware, Winn.

Yeas 13; nays 11. So the bill was passed.

The Senate took up the message of the House announcing amendments to Senate bills, and requesting the concurrence of the Senate therein :

A bill to incorporate the Georgia Telegraph Company.

On motion the House amendments to said bill was concurred in.

A bill to authorize the Justices of the Inferior Courts to issue bonds and borrow money in certain cases.

On motion the House amendment to said bill was concurred in.

The Senate took up, read, and adopted the joint resolution recommending to the planters of this State to reduce the quantity of the cotton crop.

Mr. Boyd offered the following resolution, which was adopted :

*Resolved by the Senate and House of Representatives, of the State of Georgia, That the Comptroller General be authorized and requested to call upon the Presidents and Superintendents of the Georgia Military Institute, the Deaf and Dumb*



Asylum, the Academy for the Blind, the Lunatic Asylum, the Penitentiary, and the Western & Atlantic Railroad, and ascertain the pay or salaries allowed each officer of these Institutions, and that said Comptroller General hereafter incorporate the same in his annual report.

## REPORT OF COMMITTEE ON THE STATE OF THE REPUBLIC.

The Committee on the state of the Republic, believing it to be their duty to suggest any matter of interest to the Republic, deem it a fitting conclusion to the labors of the present session, that they recommend the passage of a resolution expressive of the desire of this General Assembly to establish a system of Direct Trade. A proffer of this nature made to Great Britain, or to France, exclusively, powerfully aided as it must be by the now exhausted stock of cotton, tobacco, and naval stores in those countries, could scarcely fail to induce them, one, or both, to ignore a blockade, which the laws of nations and their own but recent treaties, have declared invalid, and of which they must long ere this time have had, through their own Consular agents, the most ample proof.

The result of such a measure would be—

*Firstly*, to furnish us with abundant supplies of all such goods as we most need now at *European prices*, and enable us to realize full prices for our cotton, tobacco, and naval stores, in exchange for them.

*Secondly*, to enable us to furnish the Northern States with European goods at prices lower than could be afforded if imported via New York, and at the same time diminish the revenue of the Lincoln States.

*Thirdly*, to afford all our Railroads and other public conveyances full employment in transporting these goods, and the provisions to be received in exchange for them.

*Fourthly*, to convince the Western States that their true interest is to obtain their foreign goods through these States, and that the Confederate States will afford them the best markets for their provisions, and that the protection which New England exacts and increases from year to year for her manufactures is injurious and destructive to all interests, her own excepted.

*Fifthly*, to demonstrate to the Middle States, practically, that the protective policy of New England is directly at war with, and opposed to, their commercial and trading interests, and especially ruinous to the great city of New York.

*Sixthly*, to open the eyes of the people of New York to the fact, that they are in perfect bondage to, and being sa-



crificed in all their highest interests to the selfish, unjust, and destructive policy of New England.

*Seventhly*, to create and build up a Direct Trade between the Southern Confederacy and the nations of Europe, so that in future, when our position is recognized among them, we may buy and sell, barter and exchange, without the introduction of intermediate agents, who have hitherto engrossed the most of the profits.

*Eighthly*, to require of the United States, at greatly increased expense, to increase her blockading force to prevent the entrance of vessels and cargoes, which the enormous profits of a single successful arrival would induce to engage in the trade.

*Ninthly*, to embroil the different powers, whose citizens or subjects would engage in that enterprise sooner or later, in inevitable hostility with the United States, and thus cause a removal of the blockade, if not previously accomplished by other means.

*Tenthly*, to attract the notice of all commercial men of the United States to the suicidal policy of the war, and to induce many of them to engage with their shipping in our carrying trade.

Your committee, thereupon, recommend the passage of the following resolution :

*Resolved*, That our Senators and Representatives in Congress be and they are hereby requested to urge the passage of an act whereby the ports of the Confederate States shall be opened freely to the commerce of the world.

(Signed)

WILLIAM GIBSON,  
Chairman.

On motion said resolution was taken up, read, and adopted.

On motion, the resolution providing a mode of settlement between the Comptroller General and Tax Collectors in relation to taxes belonging to alien enemies, was taken up, read, and adopted.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President* : The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to be entitled an act to authorize the connection of the Railroad of the Savannah Albany & Gulf Railroad Company, with the Railroad of the Central Railroad & Banking Company of Georgia, by a track running through or around the city of Savannah.

Also, a bill to be entitled an act to repeal an act to regulate the agencies of Foreign Insurance Companies, and to

provide for the appointment of an Insurance Commissioner, assented to December 12th, 1859.

Also, a bill to be entitled an act to prescribe the term of office of the Judges of the Supreme Court of this State.

The House of Representatives have also concurred in the Senate amendments to the following House bills, to-wit :

A bill to be entitled an act to alter and fix the time of meeting of the General Assembly of the State of Georgia.

Also, a bill to be entitled an act to regulate the collection of Jury fees in the Superior and Inferior Courts of the counties of Talbot, Chattahoochee, Putnam, Habersham, Polk, Bibb, and Dougherty.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President :* The House of Representatives have adopted the following resolution, to-wit :

A resolution providing a mode of settlement between the Comptroller General and Tax Collectors in relation to taxes on lands belonging to alien enemies.

On motion the Senate adjourned till 7 o'clock, P. M.

7 O'CLOCK, P. M.

The Senate met according to adjournment.

Report of the committee of conference on the general appropriation bill :

The joint committee of conference appointed to consider the disagreements of the two Houses on the general appropriation bill, take pleasure in reporting that they have agreed, and recommend the following solution of the difficulty :

They recommend that the House do recede from their amendment to the Senate's amendment appropriating five millions of dollars as a military fund, and that the House do concur in said amendment of the Senate.

They further recommend that both Houses pass the accompanying resolutions.

Respectfully,

GEORGE A. GORDON,  
Chairman Senate Com.  
E. G. CABANISS,  
Chairman House Com.

*Resolved by the General Assembly of Georgia,* That the Governor be and he is hereby authorized and instructed to tender to the Confederate Government the volunteer forces called into service under the law of 1860, or which may hereafter be called into service for the State defence, in companies, battalions, regiments, brigades, or divisions, as may be found to be acceptable to the War Department of the Confederate States.

*Provided,* That the Confederate States will receive them for the term of their enlistment, and for local defence in this State, under the act of Congress to provide for local defence and special service, approved August 21, 1861: and

*Provided, further,* That if the Confederate States shall not accept said troops, in that event, the troops shall remain in service as State troops, under the terms of their enlistment: and

*Provided, further,* That such tender shall be made, so far as the troops now in the State are concerned, before the 15th day of January next, and before a greater sum than one million of dollars is raised or expended, as provided for in the            section of the general appropriation bill: and

*Provided, further,* That none of said troops shall be transferred to the Confederate service without their free consent first fairly obtained by companies, if organized in independent companies; by battalions, if organized as independent battalions; or by regiments, if organized in regiments.

*Be it further resolved,* That we earnestly recommend the Confederate Government to receive said State forces; should they assent, with all their field and general officers; and if there be no law now authorizing such acceptance, we respectfully request our Senators and Representatives in Congress to urge the passage of a bill to effect so desirable an object.

On motion said report and resolutions were taken up, read and adopted.

Mr. Boyd offered the following resolution, which was taken up, read, and adopted:

*Resolved, by the Senate and House of Representatives,* That a joint committee of two from the Senate and three from the House be appointed to inform the Governor that the General Assembly is now ready to adjourn, and enquire whether he has any further communication or message for either branch thereof.

The President appointed as said committee on the part of the Senate—Messrs. Boyd, Mosely and Smith.

Mr. Bell offered the following resolution, which was taken up, read, and unanimously adopted:

*Resolved, unanimously,* That the Senate tenders to the



Hon. John Billups, President, their profoundest acknowledgments for the signal courtesy, impartiality, and ability, with which he has presided over its deliberations during the present session.

Mr. Bell offered the following resolution, which was taken up, read, and adopted :

*Resolved, unanimously,* That the Senate tenders to James M. Mobley, Esq., Secretary of the Senate, and Hugh Moore, Esq., his assistant, and their respective assistants, its thanks, for their courtesy to the members thereof, and bear cheerful testimony to the efficiency and fidelity with which they have discharged their duties.

The Senate took up the message of the House respecting an amendment of the House to the Senate resolution respecting the reduction of freight on the Western & Atlantic Railroad, and requesting the concurrence of the Senate in the same.

On motion the Senate concurred in said House amendment.

The Senate refused to recede from its amendment to the bill to alter and make uniform the present status of this State in regard to the payment of Grand and Petit Jurors, and for other purposes.

The House refused to concur, and the Senate receded.

The Senate took up the House resolution, and agreed to the same, instructing the Governor of this State to transmit to the Governors of each of the Confederate States a certain act of the present General Assembly.

Mr. Bothwell of the Committee on Enrollment reports as duly enrolled and ready for the signature of the President of the Senate—

An act to make effectual the second clause of the second section of the fourth article of the Constitution of the State of Georgia, and to prescribe more fully the mode by which the rights and disabilities of parties in actions of divorce shall be determined.

An act to authorize guardians, trustees, executors and administrators to invest in Confederate States bonds, and in lands and negroes.

An act to authorize the Justices of the Inferior Court of the counties of Floyd, Bartow, Chattooga, Decatur, Cobb and Burke, or any other counties of the State to issue bonds and borrow money in certain cases.

An act more effectually to organize the Georgia Institute for the education of the Deaf and Dumb, and for other purposes.

An act to repeal an act to regulate the agencies of foreign Insurance Companies, and to provide for the appoint-

ment of an Insurance Commissioner, assented to 12th December, 1859.

An act to prescribe the terms of office of the Judges of the Supreme Court of this State.

An act to incorporate the Georgia Telegraph Company.

An act to authorize the connection of the Railroad of the Savannah, Albany & Gulf Railroad Company with the Railroad of the Central Railroad & Banking Company of Georgia to a track running through or around the City of Savannah.

Mr. Bothwell, of the Enrolling Committee, reports as duly enrolled and ready for the signature of the President of the Senate—

An act to amend an act entitled an act to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes, assented to December 11th, 1858.

An act to suspend the statutes of limitations, and for other purposes.

An act to regulate foreign exchange.

An act to authorize the continuances of cases pending in the Superior and Inferior Courts and City Courts of this State, during the war in certain cases.

An act for the relief of Sumner W. Baker and Solomon B. Smith, executors on the estate of Benjamin Lane, deceased, of the county of Lowndes.

An act to repeal so much of an act passed in the year 1850, adding lot of land No. 6, to Talbot county, and to change certain county lines, and for other purposes.

Mr. Bothwell, of the Committee on Enrollment, reports as duly enrolled and ready for the signature of the President of the Senate.

An act to provide for the reduction of the salaries of the officers and employees of the Western & Atlantic Railroad.

And also as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate—

An act to authorize married women to deposit money in any Savings Bank or Institution now chartered by this State and for other purposes therein mentioned.

Mr. Bothwell, of the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate—

An act to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes therein named.

Mr. Bothwell, from the Committee on Enrollment, reports as duly enrolled and ready for the signature of the President of the Senate—

An act to alter and make uniform the present statutes in this State in regard to the payment of Grand and Petit Jurors of the counties of Decatur, Murray and Chatham, and for other purposes.

Mr. Bothwell, of the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate—

An act to charter the Macon Insurance, Trust & Loan Company, and to confer on said Company certain rights, powers and privileges.

Resolution requesting the Governor of this State to transmit to the Governors of each of the Confederate States a certain Act of the present General Assembly of this State.

Resolution urging the members of the Confederate Congress from Georgia to exert their influence to have the ports of the Confederate States opened free of duty to all friendly nations during the existence of the war between the Confederate States and so called United States.

The following message was received from the House of Representatives, by their Clerk, Mr. Carrington, to-wit:

*Mr. President:* The House of Representatives have concurred in the following resolutions of the Senate, to-wit:

A resolution requiring certain things to be done by the Secretary of State.

A resolution in relation to Clerks department.

A resolution requesting the Governor to appoint two persons to act with the Principal Keeper of the Penitentiary, to consider the propriety of classifying the convicts therein, and report to the next General Assembly.

A resolution asking Congress to have Census takers paid.

A resolution relative to Resolutions from the State of Tennessee.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:

*Mr. President:* The House of Representatives have receded from their amendment to the section in the "bill to provide for raising a revenue for the political year 1862, and to appropriate money for the support of the Government for said year, and to make certain special appropriations, and for other purposes therein mentioned," appropriating five millions of dollars as a military fund; and have concurred in the resolutions reported by the Conference Committee in relation thereto.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk:



*Mr. President:* The House of Representatives has concurred in the resolutions of the Senate in regard to freight on the Western & Atlantic Railroad, with an amendment thereto, in which they ask the concurrence of the Senate.

The House has also concurred in the amendment of the Senate to the following bill of the House of Representatives, to-wit :

A bill to be entitled an act to amend an act to approve, endorse and make of force in the State of Georgia a revised Code of Laws, &c., assented to December 19th, 1860.

The House of Representatives have also adopted the following resolution, in which they ask the concurrence of the Senate, to-wit :

A resolution requesting His Excellency the Governor to transmit to the Governors of each one of the Confederate States a copy of "an act to prevent monopolies and extortion in this State," passed at the present session of the General Assembly of this State.

The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to be entitled an act to alter and make uniform the present statutes of this State in regard to the payment of Grand and Petit jurors, and for other purposes, with an amendment in which they ask the concurrence of the Senate.

Also, a bill to be entitled an act to amend the charter of the Dalton City Company, approved 23d February, 1850.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President:* The House of Representatives have adopted a resolution appointing a joint committee to wait on his Excellency the Governor, and inform him that this General Assembly is now ready to adjourn, and have appointed as such committee, on part of the House, Messrs. Hook, Bloodworth and Black.

The House of Representatives refuse to recede from their amendment to a bill of the Senate to be entitled an act to alter and make uniform the present Statutes of this State in regard to the payment of Grand and Petit Jurors, and for other purposes.

Mr. Bothwell from the committee on enrollment, reports as duly enrolled and ready for the signature of the President of the Senate,

A resolution providing a mode of ascertaining the pay and salaries of each officer in the Georgia Military Institute, Deaf and Dumb Asylum, the Academy for the Blind, Lunatic Asylum, the Penitentiary, and Western and Atlantic Railroad.

The following message was received from the House of Representatives, by Mr. Carrington, their Clerk :

*Mr. President:* The House of Representatives have adopted a resolution authorizing certain books to be furnished to the county of Dade.

Mr. Bothwell from the committee on enrollment, reports as duly enrolled and ready for signature, the following bills of the House, to-wit:

A bill to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of Elbert and Taliaferro, and to repeal all former laws providing for the same.

An act to regulate the collection of Jury fees in the Superior and Inferior Courts of the counties of Talbot, Chattahoochee, Putnam, Habersham, Bibb, Polk and Dougherty.

An act to allow secondary proof and testimony in cases where copy wills, deeds and other papers cannot be procured, and for other purposes.

An act to repeal an act entitled an act to compel all persons non-residents of the counties of Wayne, Irwin, and Wilcox, owning penning and grazing stock-cattle in said counties, to return and pay taxes on the same, in the counties aforesaid, assented to December 19th, 1859, so far as relates to the county of Wilcox.

An act to prevent any negro slave or free person of color living on any lot separate and apart from the lot on which their owner, guardian, or employer, shall actually reside in the town of Louisville or Clarksville, and to prevent free persons of color from hiring or having any negro slave in their employment in said town, and to point out the manner in which all violations of this act shall be tried and punished, and the manner in which the fine money shall be disposed of.

An act to constitute an Eclectic board of Physicians, and to locate the same in the town of Athens, Georgia.

A act for the relief of David Dyer, Thomas Hollis, Lester Markham, John Huff and James W. Burnside, and for other purposes therein named.

Resolutions providing a mode of settlement between the Comptroller General and Tax Collectors, in relation to tax on lands belonging to alien enemies.

An act to amend an act to incorporate the town of Cusseta, in the county of Chattahoochee, approved Dec. 22, 1855.

An act to compensate managers of elections in this State.

An act to amend an act to approve, endorse, and make of force in the State of Georgia, a revised Code of Laws; assented to December 19th, 1860.

An act to alter and amend the tenth section of an act entitled an act to amend the several acts of the General Assembly in regard to the election of Public Printer, approved February 16th, 1854.

An act to amend an act entitled an act to compensate the Sheriffs of Burke, Elbert and DeKalb counties, for their services in summoning Grand and Petit Jurors in the said counties respectively.

An act to define the manner in which suits may be instituted against Insurance Companies in this State, and to prescribe the manner in which service shall be effected upon them.

An act to amend an act to authorize and empower the Justices of the Inferior Courts of this State, to discharge criminals or offenders against the law from jail in certain cases, and also to discharge defendants in certain civil cases, approved December 29th, 1847.

An act to confer upon John E. Morgan, Jesse McClen-don, and others, their associates and successors the right to conduct the business of banking upon the terms therein expressed.

An act to alter and fix the time of the meeting of the General Assembly of the State of Georgia.

An act to exempt plaintiffs and defendants from paying verdicts and confessions in bills of cost in the Superior and Inferlor Courts of Scriven county.

An act entitled an act for the protection of soldiers against judgments in certain cases.

An act to protect the rights of Malachi Jones and Thom-as Hardee, of the county of Brooks, in certain lakes on their lands.

An act to authorize the Justices of the Inferior Courts and Ordinaries of the several counties to appoint some fit and proper person to open and adjourn such Courts in the absence of an officer to do so.

A resolution recommending the planters of this State to reduce the quantity of the cotton crop, &c.

An act to authorize the Ordinary of White county, to pay C. H. Kytle for teaching poor children in the county of White.

An act to be entitled an act to empower James Bozeman and William Jordan, indigent invalids of Muscogee county, to peddle without license within the bounds of their Congressional district, except counties therein named.

An act to alter and amend a portion of the 8th section of an act in relation to the town of Athens ; assented to December 22d, 1857.

The following Message was received from the House of Representatives by Mr. Carrington, their Clerk, to-wit :

*Mr. President* :—The House of Representatives have adopted a resolution appointing a joint committee to bring up the unfinished business of this General Assembly, in which they ask the concurrence of the Senate, and have



appointed as said committee on the part of the House, Messrs. Trammell, Briscoe and Gresham.

The Senate took up the message of the House relating to the furnishing the county of Dade with certain enumerated volumes of the Supreme Court Reports.

On motion said resolution was adopted.

## REPORT OF COMMITTEE TO WAIT ON HIS EXCELLENCY THE GOVERNOR.

The committee appointed by the Senate to act in conjunction with a committee of the House, to confer with the Governor, and inform him that the General Assembly are now ready to adjourn ; and to enquire if he has any further message to communicate,—have performed that duty and received reply, that he has no further message to lay before either branch of the General Assembly.

The Senate took up the message of the House, respecting a joint resolution appointing of a committee to compare engrossed with enrolled bills, and requesting the Senate to appoint a like committee to act with the House committee.

On motion said resolution was concurred in.

The President appointed as said committee, on the part of the Senate, Messrs. Swearingin, Smith and Harris.

Mr. Dyer, chairman of the committee on enrollment, reports as duly enrolled and ready for signature,

A resolution to furnish the county of Dade with certain books:

Mr. Hansell moved that the Secretary of the Senate inform the House of Representatives that the Senate is now ready to adjourn *sine die* ; which motion was agreed to.

Mr. Bothwell, of the Committee on Enrollment, reports as duly enrolled and ready for the signature of the President of the Senate,

An act to amend the charter of the Dalton City Company ; approved 23d February, 1850.

Also the following resolutions, to-wit:

Resolution asking Congress to have census takers paid.

Resolution requesting the Governor to appoint two persons to act with the Principal Keeper of the Penitentiary to consider the propriety of classifying the convicts therein, and report to the next General Assembly.

Resolution in regard to freights on the Western & Atlantic Railroad.

Resolution relative to the resolutions from the State of Tennessee.

Mr. Bothwell, as chairman *pro tem.*, of the committee on enrollment, reports as duly enrolled and ready for signature,

A resolution authorizing the Governor to tender to the Confederate States the volunteer forces of the State of Georgia.

The following message was received from the House of Representatives by Mr. Carrington, their Clerk :

*Mr. President:*—I am directed by the House of Representatives to inform the Senate that they are now ready to adjourn *sine die*.

Pursuant to a joint resolution of both Houses, the Senate adjourned *sine die*.

## TABLE

*Of Pay and Mileage of the Members and Officers of the Senate of the State of Georgia for the session of the General Assembly, beginning 6th November, and ending 14th December, 1861.*

Dist	Names of Senators.	Pay.	Mileage.	Aggregate.
27	John Billups, Pres. Senate,	234 00	40 00	274 00
1	George A. Cordon,	195 00	74 80	269 80
2	C. J. Fletcher,	195 00	82 40	277 40
3	Henry R. Fort,	195 00	112 00	307 00
4	John M. King,	195 00	140 00	335 00
5	Thomas Hilliard,	195 00	100 00	295 00
6	T. B. Griffin,	195 00	137 00	332 00
7	James L. Seward,	195 00	82 40	277 40
8	T. A. Swearingen,	195 00	82 00	277 00
9	S. S. Stafford,	195 00	78 00	273 00
10	D. A. Vason,	195 00	57 00	252 00
11	O. P. Anthony,	195 00	72 00	267 00
12	James Hilliard,	195 00	78 00	273 00
13	T. M. Furlow,	195 00	43 60	238 60
14	D. J. Bothwell, (on committee.)	200 62	46 40	247 02
15	John McRae,	195 00	40 00	235 00
16	John B. Wright,	195 00	24 00	219 00
17	J. A. Shewmake,	195 00	40 00	235 00
18	William Gibson,	195 00	64 00	259 00
19	M. W. Lewis,	195 00	16 00	211 00
20	B. T. Harris, (on committee.)	210 00	8 80	218 80
21	D. N. Smith, (on committee.)	210 00	6 00	216 00
22	G. A. Winn, (on committee.)	200 62	22 00	222 62
23	S. D. Killen, (on committee.)	200 62	31 60	232 22
24	Wm. M. Brown,	195 00	44 00	239 00
25	J. B. Kendall,	195 00	40 00	235 00
26	William Moseley,	195 00	40 00	235 00
28	John R. Dyer,	195 00	16 00	211 00
29	L. M. Hill,	195 00	32 00	227 00
30	J. H. Echols,	195 00	31 20	226 20
31	John H. Patrick,	195 00	62 00	257 00
32	Wier Boyd,	195 00	60 00	255 00
33	Sam'l Stephens,	195 00	66 00	261 00
34	S. F. Alexander,	195 00	60 00	255 00



*Pay and Mileage of Senators—Continued.*

Dist	Names of Senators.	Pay.	Mileage.	Aggregate.
35	A. J. Hansell,	195 00	64 00	259 00
36	Joseph H. Gaston,	195 00	52 00	247 00
37	Wm. P. Beasley,	195 00	76 00	271 00
38	James M. Ware,	195 00	84 40	279 40
39	H. P. Bell,	195 00	72 40	267 40
40	S. Y. Jamison,	195 00	93 20	288 20
41	James Simmons,	195 00	80 00	275 00
42	Daniel R. Mitchell,	195 00	88 00	283 00
43	John M. Jackson,	195 00	96 00	291 00
44	R. A. Lane,	195 00	109 60	304 60
Total,		\$8,665 85	\$2,744 80	\$11,410 66

## OFFICERS OF SENATE.

James M. Mobley, Secretary,	3,412 50
L. S. Stewart, Messenger,	234 00
T. R. Christian, Door Keeper,	234 00
Benj. F. Reese, Clk. Judiciary Committee,	195 00
	—————4,075 50

Total paid to Senators and Officers  
of Senate of 1861, 15,486 16

## A TABLE

*Of the Pay and Mileage of the Members and Officers of the House of Representatives of the State of Georgia at the General Assembly beginning 6th November and ending 14th December, 1861.*

No.	Representatives.	Counties.	Pay.	Mileage.	Aggregate.
1	W. Akin, Speaker,	Bartow,	234	77 00	311 00
2	A. P. Surrency,	Appling,	195	112 00	307 00
3	W. D. Williams,	Baker,	195	66 80	261 80
4	L. H. Briscoe,	Baldwin, com.	210	00 00	210 00
5	F. G. Moss,	Banks,	195	62 00	257 00
6	Sam'l. Sheats,	Bartow,	195	80 00	275 00
7	James Griffin,	Berrien, com.	200	80 00	280 00
8	J H R Washington,	Bibb,	195	14 40	209 40
9	L. N. Whittle,	"	185	14 00	199 00
10	O. L. Smith,	Brooks, com.	200	92 00	292 00
11	W. H. Vanbrackel,	Bryan, com.	200	73 20	273 20
12	David Beasley,	Bulloch,	195	58 00	253 00
13	E. B. Gresham,	Burke, com.	210	40 00	250 00
14	Jas. M. Reynolds,	"	195	40 00	235 00
15	J. W. McCord,	Butts,	195	34 00	229 00
16	J. W. Roberts,	Calhoun,	195	66 00	261 00
17	H. J. Royall,	Camden,	195	140 00	335 00
18	J. M. Cantrell,	Campbell,	195	60 60	255 00
19	A. T. Burke,	Carroll,	195	85 60	280 60
20	Thomas Duke,	"	195	85 00	280 60
21	L. N. Trammell,	Catoosa, com.	210	102 00	312 00
22	O. K. Mizell,	Charlton,	195	92 00	287 00
23	R. T. Gibson,	Chatham,	195	74 80	269 80
24	T. M. Norwood,	"	195	74 80	269 80
25	E. G. Raiford,	Chattahoochee	195	63 20	258 20
26	D. D. Dumas,	Chattooga,	195	100 00	295 00
27	W. W. W. Fleming	Cherokee,	195	72 00	267 00
28	W. F. Mullins,	"	195	76 00	271 00
29	F. W. Adams,	Clarke,	195	40 00	235 00
30	Wm. Jackson,	"	195	40 00	235 00
31	J. L. Brown,	Clay,	195	72 00	267 00
32	J. B. Key,	Clayton,	195	48 00	243 00
33	W. S. Tomlinson,	Clinch,		95 00	95 00
34	N. B. Green,	Cobb,	195	64 00	259 00
35	G. N. Lester,	"	195	64 00	259 00
36	Elisha Lott,	Coffee,	195	65 00	260 00
37	Henry Gay,	Colquitt,	195	76 00	271 00
38	W. A. Martin,	Columbia,	195	32 00	227 00
39	R. S. Neal,	"	195	32 00	227 00
40	J. T. Brown,	Coweta,	185	72 00	257 00
41	Tollison Kirby,	"	195	76 00	271 00

*Table of Pay and Milage of Representatives—Continued.*

No.	Representatives.	Counties.	Pay.	Mileage.	Aggregate.
42	Jacob Lane,	Crawford,	195	30 80	225 80
43	R. H. Tatum,	Dade,	195	118 80	313 80
44	Jas. L. Heard,	Dawson,	195	86 00	281 00
45	J. P. Dickinson,	Decatur,	195	88 00	283 00
46	Reader Powell,	"	195	88 00	283 00
47	M. A. Candler,	DeKalb,	195	56 00	251 00
48	H. M. Key,	Dooly,	195	44 00	239 00
49	S. L. Barbour,	Dougherty,	195	62 40	257 40
50	J. W. Hightower,	Early,	195	78 00	273 00
51	John S. Johnson,	Echols,	195	110 00	305 00
52	T. R. Hines,	Effingham,	195	68 00	263 00
53	Robert Hester,	Elbert,	195	40 00	235 00
54	John Overstreet,	Emanuel, com.	200	44 80	244 80
55	J. Patterson,	Fannin,	195	106 00	301 00
56	John Favour,	Fayette,	195	50 00	245 00
57	G. S. Black,	Floyd,	195	88 00	283 00
58	Z. B. Hargrove,	"	195	88 00	283 00
59	F. M. Hawkins,	Forsyth,	195	72 00	267 00
60	A. W. Brawner,	Franklin,	195	62 00	252 00
61	C. A. Pitts,	Fulton,	195	56 00	251 00
62	Jno. J. Thrasher,	"	195	56 00	251 00
63	Ebenezer Fain,	Gilmer,	195	100 00	295 00
64	Allen Kelley,	GlascocK,	195	20 00	215 00
65	A. E. Cochran,	Glynn,	195	139 20	334 20
66	Eldridge Barker,	Gordon,	195	88 00	283 00
67	James Freeman,	"	195	94 40	289 40
68	L. D. Carlton,	Green,	195	18 00	213 00
69	J. A. Jernigan,	"	195	14 00	209 00
70	T. P. Hudson,	Gwinett,	195	48 00	243 00
71	L. A. McAfee,	"	195	64 00	259 00
72	J. H. Wyly,	Habersham,	195	74 00	269 00
73	H. W. Blake,	Hall,	195	44 00	239 00
74	W. P. Smith,	"	195	60 00	255 00
75	G. W. DuBosc,	Hancock,	195	8 80	203 80
76	A. J. Lane,	"	195	10 40	205 40
77	R. F. Speight,	Haralson,	195	76 00	271 00
78	F. Hargett,	Harris,	196	66 40	261 40
79	A. G. Jones,	"	195	52 00	247 00
80	J. E. Strickland,	Hart,	195	60 00	255 00
81	R. H. Jackson,	Heard,	195	76 00	271 00
82	B. L. Harper,	Henry,	195	50 00	245 00
83	L. M. Tye,	"	195	50 00	245 00
84	Levi Ezzell,	Houston,	195	26 00	221 00
85	G. L. D. Rice,	"	195	29 60	224 60
86	O. H. Cook,	Irwin,	150	48 00	198 00



*Table of Pay and Mileage of Representatives—Continued.*

	Representatives.	Counties.	Pay.	Mileage.	Aggregate.
87	James Lindsay,	Jackson,	195	40 00	235 00
88	H. C. Giddins,	do	195	40 00	335 00
89	J. W. Burney, jr.	Jasper,	195	14 40	209 40
90	B. S. Carswell,	Jefferson,	195	24 00	219 00
91	G. W. W. Snell,	Johnson,	195	32 00	227 00
92	B. Barron,	Jones,	195	8 40	203 40
93	Rob't Robinson,	Laurens,	195	28 00	223 00
94	W. A. Jones,	Lee,	195	52 00	247 00
95	J. B. Mallard,	Liberty,	195	92 00	287 00
96	J. E. Dill,	Lincoln,	195	84 00	279 00
97	W. D. Howell,	Lowndes,	195	140 00	335 00
98	J. J. Findlay,	Lumpkin,	195	73 00	268 00
99	J. M. Owens,	McIntosh,	195	108 00	303 00
100	W. H. Felton,	Macon,	195	38 00	233 00
101	G. H. Bird,	Madison,	195	40 00	235 00
102	J. F. Rushin,	Marion,	195	44 00	239 00
103	J. J. Hussey,	Meriwether,	195	52 00	247 00
104	J. A. Render,	do	195	52 00	247 00
105	J. J. Swearingen,	Miller,	195	80 00	275 00
106	J. W. Nesbit,	Milton,	195	64 80	259 80
107	R. J. Bacon,	Mitchell,	195	63 80	258 80
108	Edmund Dumas,	Monroe,	195	20 00	215 00
109	E. G. Cabaniss,	do	195	29 00	224 00
110	A. Peterson,	Montgomery,	195	40 00	235 00
111	Joseph Lemond,	Morgan,	195	16 80	211 80
112	R. McCamy,	Murray,	195	104 00	299 00
113	J. A. L. Lee,	Muscogee,	195	56 00	251 00
114	A. J. Robinson,	do	195	56 00	251 00
115	D. T. White,	Newton,	195	32 00	227 00
116	Lewis Zachry,	do	195	28 00	223 00
117	P. M. Stephens,	Oglethorpe,	195	24 00	219 00
118	Mia! Smith,	do	195	32 00	227 00
119	N. N. Beall,	Paulding,	195	72 00	267 00
120	E. W. Alfred,	Pickens,	195	79 00	274 00
121	B. Henderson,	Pierce,	195	112 00	307 00
122	T S M Bloodworth,	Pike,	195	36 00	231 00
123	Jas. F. Dever,	Polk,	195	88 00	283 00
124	B. N. Mitchell,	Pulaski,	195	32 00	227 00
125	T. G. Lawson,	Putnam,	195	8 40	203 40
126	E. C. Ellington,	Quittman,	195	68 00	263 00
127	T. A. Bleckley,	Rabun,	195	80 00	275 00
128	O. P. Beall,	Randolph,	195	62 40	257 40
129	G. T. Barron.	Richmond,	195	64 00	259 00
130	Wm. Schley,	do	195	64 00	259 00
131	W. D. Stewart,	Schley,	195	50 00	245 00

*Table of Pay and Mileage of Representatives—Continued.*

	Representatives.	Counties.	Pay.	Mileage.	Aggregate.
132	E. B. Gross,	Scriven,	195	58 00	253 00
133	James Lavender,	Spaulding,	195	32 00	227 00
134	T. R. Scott,	Stewart,	195	70 00	265 00
135	S. B. Walton,	do	195	71 60	266 60
136	J. W. C. Horne,	Sumter,	195	40 00	235 00
137	W. J. Reese,	do	195	48 80	243 80
138	M. J. Mulkey,	Talbot,	195	44 40	239 40
139	W. B. Spain,	do (com.)	200	46 00	246 00
140	P. B. Monk,	Taliaferro,	195	32 00	227 00
141	A. D. Eason,	Tatnall,	195	72 00	267 00
142	W. J. F. Mitchell,	Taylor,	195	32 00	227 00
143	D. Cameron,	Telfair,	195	42 00	237 00
144	Dan. Lawhon,	Terrell,	195	56 00	251 00
145	P. E. Love,	Thomas,	195	80 00	275 00
146	B. B. Moore,	do	195	82 80	277 80
147	Geo. Smith,	Towns,	195	100 00	295 00
148	N. L. Atkinson,	Troup,	195	76 00	271 00
149	B. H. Bigham,	do	195	76 00	271 00
150	R. R. Slappey,	Twiggs,	195	26 00	221 00
151	W. G. Butt,	Union,	195	100 00	295 00
152	Joel Matthews,	Upson,	195	32 00	227 00
153	Adam Clements,	Walker,	195	100 00	295 00
154	A. B. Culberson,	do	195	108 00	253 00
155	H. Haygood,	Walton,	195	26 40	221 40
156	A. B. Whitehead,	do	195	30 00	225 00
157	L. W. H. Pittman,	Ware,	195	100 00	295 00
158	E. Lazenby,	Warren,	195	44 40	239 40
159	J. S. Hook,	Washington,	195	11 20	206 20
160	W. J. Irwin,	do	195	12 80	207 80
161	S. O. Bryan,	Wayne,	195	100 00	295 00
162	J. P. Beatty,	Webster,	195	52 00	247 00
163	John J. Moore,	White,	195	72 00	267 00
164	John Thomas,	Whitfield,	195	96 00	291 00
165	W. J. Underwood,	do	195	96 00	291 00
166	Thos. Gibbs,	Wilcox,	195	52 00	247 00
167	W. D. Walton,	Wilkes,	195	34 00	229 00
168	R. J. Cochran,	Wilkinson,	195	12 00	207 00
169	Dan'l Henderson,	Worth,	195	68 80	263 80
Total.....			327 49	10,178 20	42,927 20

## OFFICERS OF THE HOUSE.

L. Carrington, Clerk,	-	-	-	3,900 00
Jesse Oslin, Messenger,	-	-	-	234 00
B. H. Mitchell, Door Keeper,	-	-	-	234 00

4,368 00

Pay and Mileage of Representatives, - - - 42,927 20

47,295 20

Members and officers of Senate, - - - 15,486 16

\$62,871 36

# INDEX.

---

## A.

### ABSENCE.

Leave granted to

Mr. Gordon,	43	140
“ Gibson,		51
“ Mitchell, of Floyd,		56
“ Hilliard, of Stewart,		55
“ Furlow,	71	178
“ Wright,		71
“ Smith,		71
“ Harris,		71
“ Moseley,		80
“ Dyer,		80
“ Winn,		80
“ Killen,		80
“ Lewis, from the 19th District,		88
“ Vason,		124
Messenger of the Senate,		139
Mr. Bothwell,		147
“ Swearingen,		163
“ Patrick,		171
“ Seward,		178
Committee on Lunatic Asylum,		182
Mr. Beasley,		191
“ Griffin,		191
“ Brown,		178
“ Shewmake,		178
Door Keeper,		178
Mr. Anthony,	190	239
“ King,		207
“ Stafford,		229
“ Fort,		229
“ Thos. Hilliard,		229
“ McKae,		239
Committee of Conference,		250
Mr. Simmons,		254
Senators from 30th and 2d Districts,		276



## ACADEMY—For the Blind,

Appropriate money for

166 186 193

## ACCOUNTS—OPEN

Proving in Justices Court,

208 212 247 264

Proof in certain cases,

253 264 277

## ADJOURNMENT.

7 40 43 47 51 56 66 71 80 82 88 94 97 108

112 118 124 127 134 136 139 144 147 152 157

163 168 171 173 178 183 190 195 198 200 202

203 209 210 212 228 229 232 239 244 248 250

254 263 270 272 275 280 286 300 305

Resolution relative to adjourning *sine die*

122 142 184 238 241 251

Report of committee on business before

General Assembly,

180

Adjourned *sine die*,

314

## ADJUTANT &amp; INSPECTOR GENERAL.

To fix and define the rank of 102 118 123 124

## ADMINISTRATORS, EXECUTORS, GUARDIANS, &amp;c.

S. W. Barker and S. B. Smith, Exrs., 102 145

Chas. H. Johnson, Admr. 60 70 88

Admr. of the late William Williamson, 88 94 102

Provide for safety of property in hands of 71

Admr. of Jas. Connell, 77 125

Wm. B. Taylor, Ex'r. 57 68 78 275

Susan B. G. McGuire, Guard'n. 84 117 126

May invest in Confederate States bonds,

104 113 118 129

Admr. of Thos. Allen, 77 117 143

Sophia McBride—minor children of 145

Admr. on the estate of Thos. Chivers, 110 166 187

Owen C. Pope, Ex'r. 178 186 228

Mrs. Margaret Dillon, Admr'x. 186 194 200

Designate the place of sales by, in Muscogee,

194 209 223

Jas. Pollard, Ex'r. 244 253 261

## AID—

To Georgia Hospital Association, 166 185 194 242

To Charleston, S. C. 290

See "Appropriations."

## ALEXANDER, HON. S. F.

From the 34th Senatorial District,

5 47 48 89 110 131

## ALIEN ENEMIES.

Receivers to bring suits on claims of 40 44 59 61

Resolution relative to sale of land of 227

" " " taxes of 304

## ANTHONY, HON. G. P.

From the 11th Senatorial District,

4 41 47 57 72 96 119 235

## APPENDIX.

Resolution relative to, 233

Mileage and per diem of members of the  
General Assembly, 315

## APPROPRIATIONS.

For State Troops, 158 164 176

" Georgia Hospital Association, 166 185 194 242

" Ga. Academy for the Blind, 166 186 193

" Advance to Public Printer, 208 211 221

" Support of Government for 1862,

243 253 257 268 286 289

" Manufacture and purchase of arms, 243 252 261

" Extra compensation to J. H. Seals,  
for publishing Code, 143 252 261

" Lunatic Asylum for 1861, 244 253 261

" " " " 1862, 243 253 264

" Widow of A. J. Boggess, 254 276

" Resident Clergy, 258

" Clerk of Judiciary Committee, 258

" Professors of G. Military Institute, 258

" A. Green &amp; Co., 258

" A. N. Simpson, 258

" Wm. W. Boyd, 258

" Two additional State Cadets, 258

" Abner Hern and Wesley Sheffield, 253 264 276

" Commissioners appointed by Convention  
of Georgia, 268 286

" H. J. G. Williams, 269

" Military fund, 272 273 290

" Charleston, S. C. 290

## ARMS—

Manufacture and purchase of 243 252 261

## ATTORNEY &amp; SOLICITORS GENERAL.

Regulate duties of 64 74 87

W. W. Montgomery appointed Att'y. Gen'l. 177

## ATTORNEYS AT LAW,

Who fail to pay professional tax, 254 265 276

## ASYLUM.

LUNATIC—Committee on 47

Leave of absence granted to Committee on 182

Bill to appropriate money for, 1861, 244 253 261

" " " " 1862, 243 253 264

Report of Joint Committee on 245

DEAF &amp; DUMB—Committee on 48

More effectually to organize institution for

84 97 206

## B.

## BANKS AND THE PEOPLE.

Bill for the relief of, 40 53, 58, 61, 74, 86, 90 183, 188

## BANKS.

Committee on, 47 285.  
 Cotton Planters' Bank of Georgia—  
   to incorporate, 50 66 77 103 117 127 140 146  
 For the relief of, and  
   the people, 53 58 61 74 86 90 183 188  
 Northwestern Bank of Georgia, 76 117 130 158  
 Bank of Fulton—amend act—  
   incorporating, 83 118 130 157  
 Of Savannah may remove into the Interior, 94 99  
 Cherokee Insurance & Banking Co., 123 156 162 165  
 Relief of, which have made advances  
   to State, 164 182 191  
 Bank of the Cotton Planters' Conven-  
   tion, 172 195 199 284  
 Authorize removal of Timber Cutters'  
   Bank, 267 280 289  
 John E. Morgan, J. McLendon, and  
   others, 268 279 294  
 Report of Committee on Banks, 285

## BEASLEY, HON. W. P.

From the 27th Senatorial  
   District, 5 47 48 75 83 96 97 135  
                   159 182 191 200 205

## BELL, HON. H. P.,

From the 39th Senatorial  
   District, 5 40 42 43 46 47 48 53 55  
                   69 76 83 85 91 96 97 119  
                   121 126 128 136 150 159  
                   175 184 187 200 206 306 307

## BILLUPS, HON. JOHN,

Elected President, 5  
 Thanks to, 306

## BLIND—Academy for.

Committee on, 48  
 Appropriate money for, 166 186 193

## BONDS.

Inferior Court to issue in certain  
   cases, 148 165 173 178 185  
 Advances by Banks on State, 164 182 191  
 Tax Receiver and Collector in Richmond, 208 247

## BOUNDARY.

Between Georgia and Florida, 99 226



## BOTHWELL, HON. D. J.

From 14th Senatorial District, 4 47 48

## BOYD, HON. WEIR.

From the 32d Senatorial District, 5 6 45 47 48 51  
 58 63 89 102 121 138  
 139 151 155 162 174  
 180 200 202 209 252  
 302 306

## BRIDGES.

Resolution relative to defending R. R., 69 122 124

## BRIGADIER GENERALS.

Appointment of, 54  
 " confirmed by Senate, 66

## BROWN, HON. W. M.

From the 24th Senatorial Dist., 4 5 6 41 48 56 64  
 67 70 88 89 95 119  
 134 160 163

## C

## CATTLE.

Non-residents to pay tax on in  
 Colquitt, 243 252 264  
 Prevent driving from other States into  
 Murray and Fannin, 253 265 277  
 Non-residents owning, in Wilcox, 257 267 280 296

## CENSUS-TAKERS.

Resolution relative to paying, 231

## CERTIORARI LAWS.

To amend, 225 230 235

## CHANGE BILLS.

City Council of Augusta issue, 48 55 64 81 137  
 Resolution relative to issuing, 57  
 Palace Mills, 251 254 265 277  
 Supt. of W. & A. R. R. may issue, 253 265 278

## CHRISTIAN, T. R.

Elected Door-Keeper, 6

## CHAPLAINS.

Committee to request ministers to act as, 6  
 Appropriations to pay resident Clergy, 258  
 Pay declined by " " 262  
 Resolution to provide for the Georgia troops, 76 187  
 " relative to appointing Rev. C. W.  
 Thomas, 224

## CIRCUITS—JUDICIAL.

Macon—Hon. O. A. Lochrane appointed Judge, 177  
 Blue Ridge—Hon. G. D. Rice, " " 177  
 Western—Hon. N. L. Hutchins, " " 177  
 Chattahoochee—Hon. E. H. Worrill, " 177

CIRCUITS—JUDICIAL—*Continued.*

Legalize adjournment of certain Courts  
in Northern, 187

## CITIES AND TOWNS.

See "Towns and Cities."

## CITIZENSHIP.

Prescribe the terms of, 137 157 179

## CITY COURT.

Judges of Augusta, 42 44 56  
Authorize continuances in, 53 118 129

## CLERKS.

Resolution to allow only certain, 6 46  
Enrolling and Engrossing, 50 56 70  
Of Courts longer time to qualify in certain  
cases, 59 69 73 85  
Of Superior Courts—costs in certain  
cases, 119 156 160  
Of Superior Courts, define duties of, 119 156 160  
Consolidate offices of Clerk and Reporter  
of Supreme Court, 156 160  
Consolidate offices of Clerk of Superior  
and Inferior Courts, in certain counties 208 211 222  
Consolidate Ordinary and Clerk of Infer-  
ior Court in Gilmer 208 211 223

## COAST DEFENCE.

Bill to provide for the public  
defence, 76 116 128 220 230 239 240 290  
Message from Governor relative to 113 212  
Conference Committee on, 244 248 255 271

## CODE.

Settle conflicts of, with acts of 1861, 151 167 183 185  
Extra compensation to J. H. Seals  
for publishing, 243 252 261  
Amend act of December 19, 1860, 266 280 297

## COMMON SCHOOLS.

Confer certain powers on Inferior Court  
relative to, 156  
Districts in Coffee, 243 253 264  
J. H. Wyley draw fund for Habersham, 254 265 276  
Pay C. H. Kytte for teaching, 266 280 297  
District Treasurers in Dawson, 267 279 295  
Fund of Towns county, 267 278 288  
Moses Formby, of Floyd, 77 117 125

## COMMISSIONERS.

To appropriate money to pay, 267 286

COMMISSIONERS—*Continued.*

A. R. Wright, commissioner to Maryland,	266	286
D. C. Campbell, " Delaware,	268	286
H. L. Benning, " Virginia,	268	286
Sam'l Hall, " N. Carolina,	268	286
H. P. Bell, " Tennessee,	268	286
W. C. Daniel, " Kentucky,	268	286
D. P. Hill, " Arkansas,	268	286
L. J. Glenn, " Missouri,	268	286
W. A. Vason, " Louisiana,	268	286
J. W. A. Sanford, " Texas,	268	286

## COMPILER OF LAWS.

Bill to provide for appointment of,	243	253	288	289
-------------------------------------	-----	-----	-----	-----

## COMPTROLLER GENERAL.

Salary of,	141
Resolution relative to election of,	153
P. Thweatt elected,	169
To issue instructions to Tax Collectors,	227
Report the salaries of certain officers,	303

## COMMITTEE.

To wait on the President elect,	5
To ask ministers to officiate as Chaplains,	6
To inform Gov. that Gen'l Assembly is organized,	6
To convey election returns to House,	41
Joint—to wait on Governor elect, &c.,	42, 43
To report rules,	43, 46
On bill to incorporate Insurance Co.	45
Finance, to act as a joint on certain bills,	45
On Privileges and Elections,	47
On Petitions,	47
On Enrollment,	47
On Journals,	47
On State of the Republic,	47, 303
On the Judiciary,	47, 246, 257
On Finance,	47, 73, 284, 287
On Internal Improvements,	47, 71
On Public Education and free Schools,	47
On Banks,	47, 285
On new counties and County Lines,	47
On the Penitentiary,	47
Report of said Committee,	132
On the Lunatic Asylum,	47
On the Military,	47, 112, 236
On Printing,	48
On Deaf and Dumb Asylum,	48
On the Institute for the Blind,	48
On Agriculture,	48
Auditing Committee,	48
Engrossing " "	48



**COMMITTEE—Continued.**

To make arrangements for Fast Day,	51, 72, 80
Joint—on reducing salaries,	67
Mr. Patrick added to Finance, &c.,	71
To wait on Messrs. Tucker & Clark,	80
Mr. Killen added to Com. on Military,	112
To examine into business of Gen'l Assembly,	143, 156, 220
Joint on Great Seal of State,	153
Of Conference on Monopoly bill,	244, 249, 255
“ “ “ bill to provide for the public defence,	244, 248, 255, 271
Of Conference on Appropriation bill,	301, 305
To inform Gov. that the General Assem- bly is ready to adjourn,	306, 313
To bring up unfinished business,	313

**CONFEDERATE STATES SENATORS.**

Resolution to bring on election of,	52, 84, 88, 89
Election of,	104
Hon. B. H. Hill elected,	105
“ Robt. Toombs elected,	108

**CONSTITUTION.**

15th clause 1st Article, to carry into effect,	76, 118
2d clause, 2d Sec., 4th Art.,	102, 118, 128, 136, 145
4th “ 1st “ 3d “	102, 117, 160
Resolution declaring Judicial offices va- cated by adoption of new,	194, 229

**CONSOLIDATION.**

Of Sec'y of State, Surveyor General and Librarian,	48, 55, 74, 87, 89
Of Sec'y of State and Surveyor Gen'l,	87, 89, 94, 102, 111, 124, 145
Of Receiver and Collector of Taxes,	50, 208
Clerk and Reporter of Supreme Court,	119, 156, 160
Clerks of Superior and Inferior Courts in certain counties,	208, 211, 222
Ordinary and Cl'k of Infe'r Courts of Gilmer,	208 211

**CONTINUANCES.**

Amend act relative to,	60, 70, 73, 86, 140, 153
To authorize in certain cases,	83, 118, 129

**CORONERS.**

Place of sales by in Muscogee,	194, 209, 223
--------------------------------	---------------

**COTTON.**

Resolution relative to reducing quantity to be planted,	73, 96, 248, 302
--	------------------

COTTON—*Continued.*

Incorporate Cotton Planters' Bank,	50, 66, 77, 103, 117, 127, 140, 146
Message of Gov. transmitting Mr. Bay- lor's report on,	139
Resolution relative to issuing Confederate Treasury notes to buy,	148, 184
Resolution from Tennessee,	291
Incorporate Bank of Cotton Planters' Convention,	172, 195, 199, 284

## COUNTIES.

New from Franklin and Habersham,	71, 127
Change the name of Cass,	94, 153, 187

## COUNTY LINES.

To change between Dooly and Macon,	40, 43, 51, 128, 135
To change between Chattahoochee and Talbot,	49, 66, 91, 276

## COUNTY TREASURER.

To abolish office of, in Stewart	243, 252, 261
----------------------------------	---------------

## COURTS, SUPREME.

Repeal 12th section of act relative to,	119, 156, 160
Consolidate offices of Clerk and Reporter,	119, 156, 160
Term of office of Judges of,	140, 158
Salaries of Judges of,	140
Salary of Reporter,	140
Hon. Chas. J. Jenkins appointed Judge,	178

## COURTS, SUPERIOR.

Change time of holding of Middle District,	42, 44, 51
Judges of to give charges in writing— amend,	48, 64, 73, 82, 84
Judges to hold adjourned terms,	49, 55, 65
Trial of causes when Judge is incompe- tent—amend,	49, 55, 73, 85
Judges to hear testimony, &c., on appli- cation for alimony,	70, 73, 85, 94, 143
To legalize the adjournment of certain,	71, 166, 187
Define the costs of Clerks in certain cases,	119, 156, 160
Define the duties of Clerks,	119, 156, 160
To authorize continuances in,	83, 118, 129
Salary of Judges,	140
Hon. O. A. Lochrane, Judge Macon Cir- cuit,	177

COURTS, SUPERIOR—*Continued.*

Hon. G. D. Rice, Judge Blue Ridge Circuit,	177
Hon. N. L. Hutchins, Judge Western Circuit,	177
Hon. E. H. Worrill, Judge Chattahoochee Circuit,	177
Fines, &c., in Fannin, Gilmer and Pickens,	186, 192, 196, 202
Change time of holding in Towns,	190, 194, 199
Concerning, in Cobb	197, 202, 207, 275
Consolidate offices of Clerk of Superior and Inferior Courts, in certain counties,	208, 211, 222
Jury fees in Whitfield,	208, 211, 223
Change time of holding in Putnam,	249, 252, 261
Jury fees in certain counties,	253, 297
Grand and Petit Jurors of Elbert and Taliaferro,	266, 280, 296
Bills of cost in Scriven Co.,	267, 279, 296

## COURTS, INFERIOR.

To legalize proceedings of, in Wikes,	40 44 51
Of Marion, to levy tax for support of soldiers, &c.,	41 44 54
Of the several counties to levy tax for volunteers, &c.,	45 97 109 149
Levy tax for the benefit of volunteers in Sumter,	48 55 56 66
Legalize the action of, in Columbia,	49 65
“ “ “ Lincoln,	49 65
Extra tax in Stewart and Webster,	49 65 82
To legalize action of Richmond,	42 44 57
“ “ “ in Burke,	50 68 78
Levy tax for volunteers in Tatnall,	59 68 79
Legalize acts of Walker, Catoosa, and Dade,	60 69 95 108
Provisions extended to several counties,	95 96 108 109
To confer certain powers on	119 156
Define duties of Clerk of,	119 156 160
Authorize continuances in,	83 118 129
Confer certain powers on, in relation to common school fund,	156
Justices to issue bonds and borrow money in certain cases,	148 163 173 178 185
Of Whitfield, to levy tax for volunteers,	194 209 223
Clerks of, and Superior Courts consolidated in certain counties,	208 222
Jury fees in Whitfield,	208 211 223



COURTS, INFERIOR—*Continued.*

Of Butts county,	208	211	223
Of Ware, to levy tax for volunteers,	233	243	261
Of Coweta, “ “ “	226	230	235
Consolidate Ordinary and Clerk of, in Gilmer,	208	211	223
Lay off School Districts in Coffee,	243	252	264
Jurors in Elbert and Taliaferro,	266	280	296
Justices to discharge criminals in certain cases,	266	280	297
Appoint person to open and adjourn Court,	267	280	297
Bills of cost, in Scriven,	267	279	296
Jury fees in certain counties,	253	297	

## COURTS—JUSTICES.

Jurisdiction in cases sounding in damages,	166	186	192	197	200
Proving open accounts,	208	212	247	264	
Persons to open and adjourn,	267	280	297		

## CRIMINAL PROSECUTIONS.

To authorize a settlement of, in certain cases,	64	74	87
Fines and forfeitures in certain counties,	173	186	192 196 202

## CRIMINALS.

To be discharged in certain cases,	266	280	297
------------------------------------	-----	-----	-----

## D

## DEAF &amp; DUMB.

Committee on Asylum for,	48
More effectually to organize Institut'n for,	84 97 206

## DEBTS.

To abolish imprisonment in certain cases,	61	70	73	74	85	95	96	126
--	----	----	----	----	----	----	----	-----

## DEEDS.

Copy Wills, &c.,	268	279	296
------------------	-----	-----	-----

## DEFENCE.

Bill to provide for the public,	76	116	128	220	230	239	240	290
Report of Committee on said bill,	236							
Message from Governor relative to defence of coast,	113	212						
Conference Committee on bill to provide for the public,	244	248	255	271				

## DIRECT TRADING CO.

Incorporate the,	208	211	224
------------------	-----	-----	-----

## DIRECT TRADE.

Report of Committee on the state of the Republic,	303
---	-----

## DIVORCE LAWS.

To amend,	40 44 53 58 62 102 136 145
Relative to alimony,	60 70 144
Relieve certain persons from judgment of divorce,	104 118

## DYER, HON. G. R.

From the 28th Senatorial District,	4 43 47 48 55 56 68 71 80 83 95 104 109 119 125 127 130 140 141 146 152 159 164 165 173 179 180 184 190 196 201 203 205
------------------------------------	--

## E

## ECHOLS, HON. J. H.

From the 30th Senatorial District,	4 41 47 51 69 72 76 80 181 209
------------------------------------	--------------------------------

## EDUCATION.

Balance of fund for Brooks county,	83 94 99
Common School Fund,	156
Descriptive Geography, by J. H. Rice,	209
School Districts in Coffee,	243 253 264
J. H. Wyley draw fund for Habersham,	254 265 276
Pay C. H. Kytte for teaching,	266 280 297
District Treasurers in Dawson,	267 279 295
Fund of Towns county,	267 278 288

## ELECTIONS.

Hon. John Billups elected President,	5
James M. Mobley, Esq., elected Secretary,	5
L. S. Stewart, " Messenger,	5
T. R. Christian, " Door-Keeper,	6
Election returns for Governor consolidated,	42
Superintendents of, in Decatur county,	61 70
Resolution to bring on election of Confederate States Senators,	52 84
By General Assembly—voting to be put on Journal,	98
Volunteers to vote at,	103 118 134 158 275
Elections of Confederate States Senators,	104
Hon. B. H. Hill elected C. S. Senator,	105
" Robert Toombs " " "	108
Resolution relative to electing State House Officers,	127 153
Amend act relative to election of Public Printer,	50 68 75 158 267 278 295
P. Thweatt elected Comptroller General,	169
John Jones " Treasurer,	169
N. C. Barnett " Sec'y of State,	171
Amend act of December 17, 1859, relative to U. S. Senators,	186 192

ELECTIONS—*Continued.*

To provide for election of county Treasurer in Ware,	226	230
Managers of, in Chattahoochee and Whitfield,	266	280 296
District Treasurers in Dawson,	265	279 295

## ELECTORS.

Invited to seats on floor,	196
Casting Electoral vote,	201

## EQUIPMENT OF VOLUNTEERS.

State to reimburse counties for,	103 109 117 145 151
----------------------------------	---------------------

## ESTATES.

Of married women, see "Married Women."

## EXCHANGE.

Bill to regulate foreign,	102 117 126
---------------------------	-------------

EXECUTIVE SESSION.	56 64 88 103 124 139 152
	157 210 212

## EXECUTIONS.

Stay the enforcement of,	164 179 184 186 194
--------------------------	---------------------

## F

## FEES.

Of Ordinaries,	76 116 129 161
Jury, of Whitfield,	208 211 223
Of Surveyor General,	206

## FLETCHER, HON. C. F.

From the second Senatorial District,	3 47 48 50 59 144
---	-------------------

## FOREIGN EXCHANGE.

Bill to regulate,	102 117 126
-------------------	-------------

## FOREIGN INSURANCE CO'S.

Regulate agencies of,	157 167
-----------------------	---------

## FORT, HON. H. R.

From the 3d Senatorial District,	3 47 48 76
----------------------------------	------------

## FREE PERSONS OF COLOR.

Elmira Matthews to sell herself,	49 66 67
Resolution relative to,	67
Legalize sale of a certain woman,	68 69 81
Polly Knowles to sell herself,	104 118 130 137
Allow all to go into voluntary slavery,	130 137
Allow, who leave the State to return,	208 211 224
Government of, in Louisville and Clarksville,	266 280 297



## FURLOW, HON. T. M.

From the 13th Senatorial

District,	4	6	40	42	47	48	50	53	56	59
	66	71	110	119	121	128	139			
	141	142	172	206	207	209	212			

## GASTON, HON. J. H.

From the 36th Senatorial District,

5 47 96

## GENERAL ASSEMBLY.

To fix compensation of,	135	139	141	148	181
Committee to examine into business of,	143	156	220		
Report of committee on business before,				180	
Resolution relative to adjournment,				220	
Bill to alter and fix the time of meeting,		279	295		
Mileage and per diem of members of, (see appendix)					315

## G

## GEORGIA HOSPITAL ASSOCIATION.

See "Hospital Association."

## GIBSON, HON. WM.

From the 18th Senatorial

District,	4	42	43	47	48	51	54	56	82	85	111
	121	122	137	143	146	150	159	182			
	189	198	200	201	208	230	275	304			

## GORDON, HON. GEO. A.

From the 1st Senatorial

District,	3	40	43	47	76	80	91	95	98	102
	104	109	111	122	124	129	131			
	167	168	172	176	178	179	182			
	210	222	255	276	285	288	290			
								297	301	305

## GOVERNOR.

Annual Message of,	8
Election returns for, consolidated,	42
Inauguration of,	46
Special message from,	136 152 155 188 194 283
Message from—	
Nominating two Brig. Generals,	54
Nominating H. R. Jackson Major General,	85
Furnishing information relative to defence of coast,	113
Making certain appointments,	177 182
Relative to coast defence,	212
Resolutions passed by Col. Chastain's regiment,	221
Transmitting Resolutions from Tennessee,	291
Recommending an appropriation for Charleston, S. C.,	294

## GREAT SEAL OF THE STATE.

Resolutions relative to altering,	153
Bill to alter,	254 265 277

## GRIFFIN, HON. T. B.

From the 6th Senatorial District,	4 47 48 50 59 64 81 102 191
-----------------------------------	-----------------------------

## GUARDIANS.

See "Administrators, &c."

## H.

## HANSELL, HON. A. J.

From the 35th Senatorial District,	5 6 42 43 45 46
	47 48 56 61 62 64 67 75 76 78
	83 88 95 97 98 102 109 111
	121 126 134 135 136 140 142
	146 153 159 162 164 165 167
	168 174 178 185 187 190 193
	198 201 209 212 271 272 273
	277 313

## HARRIS, HON. B. T.

From the 20th Senatorial District,	4 48 53 59 71 75
	78 96 98 103 139
	150 175 205 269
	280 292

## HILL, HON. L. M.

From the 29th Senatorial District,	4 40 41 47 48 49
	96 109 138 155

## HILLIARD, HON. JAMES

From the 12th Senatorial District,	4 47 49 56
------------------------------------	------------

## HILLIARD, HON. THOMAS,

From the 5th Senatorial District,	3 47 48 50 96
-----------------------------------	---------------

## HOSPITAL ASSOCIATION—GEORGIA.

Resolution relative to,	74 75
Report of Messrs. Clarke & Tucker,	80
Thanks to do do do	80
To appropriate money for,	166 185 194 200 205 242

## I.

## INAUGURATION.

Of Governor,	46
--------------	----

## INCORPORATIONS.

Southern Insurance and Trust Co.,	40, 43, 62, 76,
	79, 89, 271
Planters Insurance Trust and Loan Co.,	41, 45, 48, 62,
	99, 140, 148, 158,
	173, 200, 233, 243,
	252, 255, 259

INCORPORATIONS—*Continued.*

Direct Trade and Banking Co.,	43, 45
“ “ “ Navigation Co.,	75, 153
Dawson Turnpike Road Co., amend act,	48, 55, 63
Town Creek and Ralston Branch Hydraulic Hose Mining Co., amend act,	48, 55, 64,
Georgia Home Insurance Co., amend chart.,	48, 55, 64
“ Mutual “ “	49, 66, 65, 76 79
Cotton Planters' Bank of Ga.,	50, 66, 77,
	103, 117, 127,
	140, 146
Turner Mountain Copper Mining Co.,	58, 68, 79
Americus—amend act incorporating,	59, 69, 81, 275
Cherokee Insurance and Banking Co.,	123 156 162 176
	254
Rome—amend act incorporating	66 68
North-Western Bank of Ga.,	76 117 130 158
Atlanta, amend act incorporating,	76 117 125 189
Bank of Fulton,	83 130 157
Dalton City Co.,	84 118 160 161
Great Southern Insurance Co.,	120 157 159 163 182
	278
Georgia Telegraph Co.,	121 157
Brunswick and Florida R. R. Co.—amend act incorporating,	166 186 247
Valdosta—amend act incorporating,	166
Bellville— “ “ “	166 186 193
Jonesboro— “ “ “	166 185 193
Cavendors Creek and Fields Gold Mining Co.,	167 185
	193
Bank of the Cotton Planters' Convention,	172 195 199
	284
Valdosta—amend act incorporating,	186 193 230
Dalton “ “ “	191 194 209
Direct Trading Co.	208 211 224
Warehouse Insurance & Deposit Cos.,	226 229 239
Summerville— amend act incorporating,	231 243 264
Confederate Fire and Marine Insurance Co.,	253 264
	277
Charter Macon Insurance Trust and Loan Co.,	267 279
	296
Cusseta—to incorporate,	267 278 295
Athens—amend act,	267 279 296

## INFERIOR COURTS.

See “ Courts—Inferior.”

## INSURANCE COMPANIES.

Planters' Trust & Loan, 41 45 48 62 99 140 148 158  
173 200 233 243 252, 255 259



INSURANCE COMPANIES.—*Continued.*

Georgia Home—amend charter,	48 55 64
do Mutual,	49 65 66 76 79
Southern Insurance & Trust Co.,	62 76 79 89 271
Great Southern,	120 157 159 163 182 278
Regulate Agencies of Foreign,	123 157
Cherokee Insurance & Banking,	123 156 162 165
	176 254
Foreign,	167
Warehouse Insurance and Deposit Cos.	226 229 239
Confederate Fire & Marine,	253 264 277
Define the manner in which suits	
may be instituted against,	257 268 280 296
Macon Trust & Loan,	267 279 296

## INSTITUTIONS.

For Deaf and Dumb,	48 84 97 206
For the Blind,	48 166 186 193

J.

## JACKSON, HON. J. M.

From the 43d Senatorial District,	5 40 47 48 49 50 58
	71 76 78 83 103 123
	147 165 166 177 181
	209 259 288

## JAMISON, HON. S. Y.

From the 40th Senatorial Dist.,	5 47 48 103 137 158
---------------------------------	---------------------

## JUDGES.

Of Superior Courts—charges in writ-	
ing—amended,	48 64 73 82 84
Of Superior Courts to hold adjourned terms,	49 55 64
do do do trial of causes when	
incompetent,	49 55 73 85
Of city of Augusta,	42 44 56
Of Superior Courts, to hear testimo-	
ny on application for alimony,	70 73 85 94 143
Of Supreme Court—term of,	158
Chattahoochee Circuit—Hon. E. H. Worrill,	177
Blue Ridge do do G. D. Rice,	177
Macon do do O. A. Lochrane,	177
Western do do N. L. Hutchins,	177
Supreme Court, do Chas. J. Jenkins,	178
Supr. Court of Fannin, Gilmer and	
Pickens,	186 192 196 202

## JURORS

Payment of Grand and Petit,	60 70 73 86 297
Grand and Petit of Elbert and Taliaferro,	266 280 296

## JUSTICES COURT.

Jurisdiction in cases sounding in dama-	
ges,	186 192 197 200
Proving open accounts in,	208 212 247 264

## K.

## KENDALL, HON. J. R.

From the 25th Senatorial District, 4 47 49 71 96 102  
136 246 295 302

## KILLEN, HON. S. D.

From the 23d Senatorial Dist., 4 47 48 75 80 103  
112 122 131 141 145 154  
163 172 173 174 176 182  
185 199 236 281

## KING, HON. JOHN M.

From the 4th Senatorial Dist., 3 47 49 60 81 108

## L.

## LAND.

Repeal a portion of act of Dec, 10, '59, relative  
to certain 226 229 235  
Resolution relative to, of alien enemies, 227

## LANE, HON. R. A.

From the 44th Senatorial District, 5 47 48 60 67  
81 95 108 121 130 137 142 156 174 265

## LEWIS, HON. M. W.

From the 19th Senatorial District, 4 6 40 41 47  
48 49 52 56 57 60 72 142 146 148 149 161  
165 178 179 180 196 205 207 257 259 265  
284 287 295

## LOTTERIES,

Persons engaged in drawing 267 279 295

## LUNATIC ASYLUM,

Committee on 47  
Leave of absence granted Committee on 182  
Bill to appropriate money for, 1862, 243 253 264  
" " " " 1861, 244 253 261  
Report of Joint Committee on 245

## M.

## MAJOR GENERAL.

H. R. Jackson appointed 85

## MANUFACTURING ESTABLISHMENTS.

Regulate the hours of labor in 103 118 151

## MARRIED WOMEN.

Bill to protect the estates of 49 66 74 86 89 92  
134 136  
Deposit money in Savings Banks, &c. 267 279 295

## McRAE, HON. JOHN

From the 15th Senatorial District, 4 47 48 235



## MEMORIAL

Of Gen. Duff. Green, 97

## MESSAGES.

From House of Representatives, 6 41 42 47 50 51  
 52 59 65 67 72 74 79 82 84 97 99 103 104 109  
 112 124 128 134 135 137 141 142 147 152 157  
 163 166 167 168 172 180 183 188 191 192 197  
 198 201 203 204 219 231 232 233 242 243 246  
 248 249 250 251 255 259 260 262 263 265 270  
 272 273 274 278 283 284 286 287 289 293 298  
 301 304 305 309 310 312 314

Annual message of Governor, 8

From Governor—appointing Brig. Gen'ls. 54

“ “ “ Maj. Gen'l. 85

Special from Governor, 112 136 152 155 176 188  
 189 190 194 210 225 283

From Governor—

Furnishing information rel. to Military, 113

Relative to Cotton Planters' Convention, 139

Making certain appointments, 177 182

Relative to the Coast Defence, 212

Transmitting resolutions from Tennessee, 291

Relative to making an appropriation for  
 Charleston, S. C. 294

## MINING COMPANIES.

Town Creek & Ralston Branch Hydraulic  
 Hose, 48 55 64

Turner Mountain Copper—to incorporate, 58 68 79

Cavender's Creek & Fields Gold 167 185 193

## MILEAGE &amp; PER DIEM.

Of Members of the General Assembly,  
 98 135 139 141 148 181 315

## MILITARY.

Tax for support of soldiers, &c., in Marion co., 41 44 54

“ “ “ “ “ “ Wilkes co. 40 44 51

Infr. Courts of the several counties to levy

tax for volunteers, 45 97 108 109 149

Tax for support of soldiers in Sumter, 48

Service of the State. 53 68 131 144 154

Resolution relative to reducing pay of officers, 58

“ “ “ guarding R.R. bridges 69 122 124

“ “ “ Chaplains Ga. army, 76

Bill to provide for the public defence,  
 76 220 230 239 240

Report of committee on said bill, 236


Minority report of D. A. Vason, 236

Henry R. Jackson appointed Maj. Gen'l. 85

State to pay for equipments, &c.,  
 103 109 117 145 151 192



**MILITARY—Continued.**

Message from Governor furnishing information,	113
Volunteers may vote at all elections,	103 118 134 158 275
Militia system—Res. relative to	119 187
Georgia troops in N. W. Virginia,	120
Volunteer organizations of this State,	131 156 162 163 174 175
Resolution relative to tendering State troops to Confederate Government,	176 179 182 199 306
Message of Gov. on the Coast defence,	212
Resolutions passed by officers of Col. Chastain's regiment,	221
Infr. Court of Coweta—tax for volunteers	226 230 235
Resolution relative to raising pay of privates,	228 232
To amend laws in this State	243 253
Bill to protect soldiers against judgments	267 279 297
Resolution relative to officers of State Troops,	271
Appropriation for	272 273 290
 See "Volunteers" and "State Troops."	

**MILITIA SYSTEM,**

Resolution relative to revising	119 187
---------------------------------	---------

**MITCHELL, HON. D. R.**

From the 42d Senatorial District,

5 41 47 48 49 52 56 68 77 81 83 89 92 98 103
111 123 134 140 141 148 161 162 165 180
187 189 196 209 228

**MOBLEY, JAMES M.**

Elected Secretary,	5
Thanks to	307

**MONOPOLIES, SPECULATION, &c.**

Resolution relative to	42
Bill to prevent	48 55 92 110 207 228 244 263
To make penal engrossing or monopolizing	165 186
Report of Committee on bill to prevent	262
Committee of Conference on	244 249 255

**MOSELEY, HON. WM.**

From the 26th Senatorial District,

3 4 6 46 47 48 49 51 54 60 67 75 77 80 143
149 161

**O.****OFFICERS,**

Resolution relative to reducing salaries of principal	145
---	-----

OFFICERS—*Continued.*

Declare certain vacant, in certain cases,	123 156 160 161
Fix the salaries of certain	135 139 140 148 167 168 194 199
Resolution requesting Governor to make certain appointments,	194
Reduce salaries of, on W. & A. R. R.	151 162 191 202 203 204 209

## ORDINARIES,

Legalize acts of Dept. Ord'y. of Tattnall,	59 69 73 87
“ “ “ “ “ Spalding,	60 70 95 143
Fix fees of, in this State	76 116 129 161
Ordinary of — co. record last will of Thos. Allen,	77 117 143
Ordinary of Books—draw balance Ed- ucational Fund	\$3 94 99
Ordinary of DeKalb—estate of Thos. Chivers,	110 166 187
Define costs of, in certain cases,	119 156 160
Consolidate Clerk of Inferior Court and Ord'y. in Gilmer	208 211 223
Orders and judgments of	253 264 277
Person to open and adjourn Court	257 267 280 297
Ord'y. of White to pay C. H. Kytle	266 280 297

## ORGANIZATION.

Hon. Wm. Moseley called to the Chair,	3
Senators sworn in before Judge E. H. Worrill,	3
Hon. John Billups elected President,	5
James M. Mobley, Esq., elected Secretary,	5
H. M. Moore, Assistant Secretary,	5
L. S. Stewart elected Messenger,	5
T. R. Christian “ Door Keeper,	6
Rules of the last Senate adopted,	6
Sec'y. inform. House Senate is organized,	6
Ministers to officiate as Chaplains	6

## P.

## PATRICK, HON. J. H.

From the 31st Senatorial Dist.,	52, 71, 96
---------------------------------	------------

## PATROL LAWS.

Amend act of Feb. 20th, 1854,	208, 211, 224
-------------------------------	---------------

## PEDDLERS.

Jas. Bozeman and Wm. Jordan,	267, 279, 295
------------------------------	---------------

## PEDDLING.

Spiritous Liquors—to prevent in Jasper	57, 68. 79
--	------------

## PENAL CODE.

To add an additional section to the,	61, 70, 96, 129
“ “ sec. to 10th Division,	268, 279, 288

## PENITENTIARY.

Report of Committee on,	132
Resolution relative to classification of Con- -victs,	133

## PER DIEM AND MILEAGE.

Of Members of the General Assembly,	98 135 139 141
	148, 181, 315

## PETITION.

From certain citizens of Gwinnett,	83
“ “ “ “ Fannin,	102, 138
“ J. J. Flournoy, of Jackson,	138

## PHYSICIANS.

To exempt from jury duty in Jefferson,	48, 55, 64, 80
	94 143
To exempt from Jury duty in Lowndes,	64 81
Allow Dr. Rufus Barker to practice Medicine,	77 117
	125
J. H. Brown to prescribe for Dropsy,	254 265 277
Eclectic Board of,	266 280 302

## PLEADINGS AND PRACTICE.

To repeal 3d section of act relative to,	49 65 74 87
--	-------------

## PRESIDENT OF THE SENATE.

Hon. John Billups elected,	5
“ William Gibson; <i>pro tempore</i> ,	89
Thanks to,	306

## PRINTING.

## ORDERED—

Governor's Message,	40
Bill to incorporate Planters' Trust and Loan Co.,	41
Report of Comptroller General,	43
Bill to incorporate W. & A. R. R. Co.,	45
Rules of the Senate,	47
Standing Committees,	47
Bill to incorporate Cotton Planters Bank,	50 103
“ “ prevent Monopolies, Extortion, &c.,	55 92 207
“ “ incorporate Planters' Insurance Trust and Loan Co.,	63
Documents accompanying Gov's Message,	71
Report of Messrs. Clarke and Tucker,	80
Bill relative to Taxes levied by Infr Crts.	96 97 151
“ “ “ “ for Volunteers,	151
“ to provide for the public defence,	220




## PRINTER—PUBLIC.

Amend act relative to,	50 68 75 158 267 278 295
Advance to,	208 211 221

## R.

## RAIL ROADS.

Resolution relative to defending bridges,	69 122 124
S., A. & G. R. R. and Central R. R.,	122 156 159 208
	211 222
Brunswick & Fla. R. R.	186 193 227 247
Relative to killing stock by,	208 211 221
 See "Western & Atlantic R. R."	

RECONSIDERATIONS,	71 82 88 89 97 136 140 147 163
	178 196 200

## REDUCTION.

Of Salaries of civil and judicial officers,	68 135 139
	140 143
Of Salaries of officers of W. & A. R. R.,	151 162 191
	202 203 204 209
Of quantity of Cotton to be planted,	73 96 291 302

## RELIEF.

Of Gabriel Toombs,	40 44 53
" banks and the people,	40 44 53 58 61 74 86 90 164
	183 188
" Wm. B. Taylor,	57 68 78 275
" Solomon Newsom,	59 69 81
" Andrew M. Hamilton,	76 117 126
" Moses Formby,	77 117 125
" Minor children of Sophia McBride,	77 117
" Wm. E. West,	84 226 229 235
" S. W. Barker and S. B. Smith, Ex'rs,	102 117
" Banks which have made advances to State,	164 182
" B. Heri R. Davenport,	173 186 191
" Georgia Hospital Association,	185 200 205
" Mrs. Margaret Dillon, Adm'rx,	186 194 200
" People of Georgia,	232 143 257 268
" Abner Hern of Wilkes Co.,	253 264 276
" Wesley Suffield of Early Co.,	253 264 276
" Daniel Dyer, Thos. Hollins, and others	267 278 297
" Wm. Earnest,	288
" Certain Tax Payers,	266 280 296

## RESOLUTIONS

Relative to the number of Clerkships,	6 46
do do Speculation, monopoly and extortion,	42 45
To print Comptroller Generals report,	43
To amend rules of the Senate,	43 69

RESOLUTIONS—*Continued.*

## Relative to—

Finance Committee,	45
Reducing salaries,	45
Sequestration act,	48
Fast day,	51
New matter,	52 78 96
Election of Confederate States Sen- ators,	52 84 88 89 104
Reduction,	53 57
Enrolling and Engrossing Clerks,	56 70
Issuing change bills,	57
Reducing number of officers,	57
Tax on Spirituous Liquors,	60
Brigadier Generals,	64
Free persons of color,	67
Defending railroad bridges,	69 122 124
Reducing quantity of Cotton to be planted,	73 96 248 291 302
Georgia Hospital Association	75
Thanks to Messrs. Tucker & Clarke,	80
Joint Standing Committees,	75
Chaplains in Army of this State,	76
Reporters for newspapers,	91
Calling on Gov. for information in regard to the military,	92
That voting by the General Assembly be put on Journals,	98
Boundary between Georgia and Florida,	99 226
Grant to John Sapp for lot of land,	111
Relative to—	
Militia system,	119 187
Report of Sup't W. & A. R. R.	119
Georgia troops in N. W. Virginia,	120
Adjournment <i>sine die</i>	122 184 225 234 241 306
Electing State House Officers,	127
Penitentiary,	133
Issuing Confederate States Treasury notes,	148 184
Great Seal of State,	153
Electors invited to seats on floor	196
Relative to—	
Freight on W. & A. R. R.,	198
Fees of Surveyor General's office,	206
Rev. C. W. Thomas,	224
Raising pay of private soldiers,	228 232
An Appendix to Journals, (see appendix)	233
Declaring Judicial offices vacated by adop- tion of new Constitution,	194 229 232
Census takers,	231
Unfinished business,	233 281 284 313

RESOLUTIONS—*Continued.*

Declaring separation from old Union final and irrevocable,	227
Land of alien enemies,	227 304
Relative to—	
Monopolies, extortion, &c.,	244 249
House bills,	259
Senate bills,	260
Freight on W. & A. R. R.	265 307
Officers of State troops,	271
Georgia's original proprietary interest,	284
Mail line,	284
From Tennessee,	291
To appoint a Conference Committee,	301
That the Comptroller General Report the salaries of certain officers,	303
Relative to taxes of alien enemies,	304
do do tendering State troops to Confederate Government,	176 179 182 199 306
Inform Gov. Gen. Assembly is ready to adjourn <i>sine die</i> ,	306
Thanks to Hon. John Billups, President,	306
do do James M. Mobley, Sec'y.	307
do do Hugh Moore, Assistant Sec'y,	307
Requesting Gov. to transmit certain acts to Governors C. S.	307
To furnish certain books to Dade County,	313

## REVENUE LAWS.

Bill to alter,	267 279 289
----------------	-------------

## RIVERS.

To prevent abstruction of Taccoah,	225 230 235
Ford across Chickamanga Creek,	225 229 247
B. P. Key may keep up dam across Ocmulgee, (see "Water Courses.")	244 252 261

## ROAD LAWS.

To amend act, in Camden county,	49 66 67
---------------------------------	----------

## RULES.

Adopted,	46
Amended,	46
Addition to,	103

## S.

## SALARIES.

Resolution relative to reducing, principal officers	45
Of officers, civil and judicial,	68 122 143
Of certain officers,	135 139 140 148 167
	168 182 194 199
Reduce, of officers on W. & A. R. R.	151 162 184 191
	202 203 204 209



## SALES.

Designate place of, in Muscogee, 194 209 223

## SALT,

To encourage manufacture of 249 252 264

## SECRETARY OF SENATE.

James M. Mobley, Esq., elected, 5

Thanks to, 307

## SECRETARY OF STATE.

To consolidate with Sur. Gen. 87 89 94 102

111 124 145

Col. N. C. Barnett elected, 171

Fees of Surveyor General's office given to, 206

## SENATORS.

Names of, 3 4 5

Senator from 31st district took his seat 52

Resolution relative to election of

Confederate States, 52 84 88 89 104

Election of C. S. Senators, 104

Amend act relative to election of U. S., 166 186 192

## SEQUESTRATION ACT.

Suits on claims of alien enemies, 48 59 61

## SEWARD, HON. JAS. L.

From the 7th Senatorial

District, 4 5 40 41 45 47 48 50 52 58 61

62 64 70 71 73 77 78 88 82 83

86 89 94 95 96 99 110 111 123

127 128 137 140 142 143 144 146

147 148 150 151 159 160 162 167

174 178 182 185 246 268 273

## SHERIFFS.

Make valid acts of Deputies of Sumter, 42 44 54

Place of sales by, in Muscogee, 194 209 223

Compensate, of Burke, Elbert, and DeKalb, 279 295

## SHEWMAKE, HON. J. T.

From the 17th Senatorial

District, 4 47 48 50 71 79 96 110 173 175

## SIMMONS, HON. JAS.

From the 41st Senatorial

District, 5 47 48 110 173 196

## SLAVES.

Allow, who may leave the State, to  
return, 208 211 224

Government of, in Louisville and  
Clarksville, 266 280 297

## SMITH, HON. D. N.

From the 21st Senatorial

District, 4 6 46 47 50 71 96 140

## SPECULATIONS, MONOPOLIES, &amp;c.

Resolution relative to, 42

Bill relative to, 48 55 92 110 207 228 244 263

Report of committee on, 262

Committee of conference on, 244 249 255

To make penal engrossing or monopolizing, 165 186

## SPIRITUOUS LIQUORS.

Amend act relative to, in Rome, 49 66 68

To prevent the peddling of, in Jasper, 57 68 79 275

" " " " in Burke &amp; Whitfield, 79

Resolution to tax for the benefit of volunteers'

families, 60 72

License in Spring Place, 253 265 277

## STAFFORD, HON. S. S.

From the 9th Senatorial District—

4 41 42 47 48 54 67 91 96 104

122 140 146 150 151 153 158

161 276 281

## STATE TROOPS.

May vote at all elections, 103 118 134 158 275

Governor to raise and equip ———

thousand, 35 68 131 144 154

Governor draw money for support of, 158 164 177

Resolution to tender to Confederate Gov-  
ernment, 176 178 182 199 306

Inferior Courts to levy tax for

volunteers, 45 97 108 109 149

Chaplains for several regiments, 187

Bill to provide for the public

defence, 76 220 230 236 239 240

Report of committee on, 236

Minority report of Hon. D. A. Vason, 236

Message of Governor on the coast defence, 212


Resolution passed by Col. Chastain's regiment, 221

Resolution relative to officers of, 271

Appropriation for, 272 273 290

Volunteer organizations of this

State, 131 156 162 163 174 175

 See "Military" and "Volunteers."

## STATUTE OF LIMITATIONS.

Bill to suspend, 103 118 129

## STATE HOUSE OFFICERS.

Consolidation of certain offices, 74 87 89 94 102 111

Resolution relative to bringing on election, 127 153

Election of, 168 to 171

## STAY LAW.

Bill to re-enact, 53 58 61 74 86 90 179 186 188 194  
 Stay the enforcement of executions, 165

## STEPHENS, HON. SAMUEL.

From 33d Senatorial Dist., 5 47 48 123

## STEWART, L. S.

Elected Messenger, 5

## STOCK.

To encourage improvement of, 252 264 275

## SWEARINGEN, HON. T. A.

From the 8th Senatorial District, 4 47 48 60 96  
 109 110 111 142 150 174

## T.

## TAXES,

Confederate war 41 44 165 187 192 199 204 211 224  
 For benefit of soldiers in Wilkes 40 44 51  
 " " " " " Marion 41 44 54  
 " " " " " Richmond 42 44 57  
 On spirituous liquors 60 72  
 Infr. Courts to levy, for Volunteers, 45 97 108 109 149  
 To equalize taxation among the several counties, 151  
 Infr. Court of Whitfield to levy 194 209  
 Extend time for payment of, of 1861, 208 211 223  
 Infr. Court of Coweta to levy 226 230  
 Extra in Ware to build C. H. 243 261  
 Bill to amend Tax Laws 243 253 261  
 Tax on cattle in Colquitt, 243 252 264  
 Bill to levy and collect a tax for 1862, 262 279 289  
 " for the relief of certain Tax payers 266 280 296  
 Resolution relative to taxes of alien enemies 304

## TAX RECEIVERS &amp; COLLECTORS.

To consolidate the offices of, of this State, 40 43 50 52  
 " allow further time to Collectors to  
 settle with Treasurer, 49 66 68  
 Of Gilmer county, 208 224  
 Fix bond of, of Richmond, 208 247  
 Consolidate in certain counties, 208 211 233

## TEACHERS OF POOR CHILDREN,

Moses Formby, of Floyd, 77 117 125  
 C. H. Kyle, 266 280 297

## TELEGRAPH CO.,

Bill to incorporate the Georgia 121 157 160



## TOWNS AND CITIES.

Rome—amend law of incorporation,	49 66 68
Americus, “ act “	59 69 81 275
Atlanta, “ “ “	76 117 125 189
Valdosta, “ “ “	166 186 193 230
Bellville—to incor.	166 186 193
Jonesboro—amend act incorporation,	185 193
Dalton, “ “ “	191 194 209
Summerville—to incorporate	231 243 264
Cusseta. “ “	267 278 295
Athens—amend act incorporation,	267 279 296

## TRADING WITH THE ENEMY.

Bill to prevent in time of war	41 44 54 58 62
--------------------------------	----------------

## TREASURY NOTES.

City of Augusta may issue	48 55 64 81 137
Resolution recommending issue of, by Confederate Government,	184

## TREASURER, STATE

John Jones elected	169
--------------------	-----

## TREASURER, COUNTY

To provide for the election of, in Ware	226 235
Abolish office of, in Stewart	243 252 261

## TRUSTEES, &amp;C.

Appointment of new in certain cases,	41 44 58 62
May invest in Confederate States bonds,	104 118 129

## TURNPIKE COMPANIES.

Dawson—amend act incorporation,	48 55 63
---------------------------------	----------

## V.


## VASON, HON. D. A.

From the 10th Senatorial District,	4 5 41 42 45 46 47
	50 53 62 78 81 85 86 91 96 109 121 125
	126 150 157 165 172 186 197 204 236 259
Minority report of, on tendering troops to Confederate Government	236

## VOLUNTEERS.

Tax for the benefit of, in Wilkes	40 44 51
“ “ “ “ “ Marion	41 44 54
“ “ “ “ “ Richmond	42 44 57
“ “ “ “ “ Sumter	48 55 56 66
Infr. Courts of the several counties may levy tax for	45 97 108 109 149
Tax for the benefit of, in Columbia	49 65
“ “ “ “ “ Lincoln	49 65
“ “ “ “ “ Burke	50 68 78
“ “ “ “ “ Tatnall	59 68 79

VOLUNTEERS—*Continued.*

Tax for the benefit of, in Walker, Catoosa	
"    "    "    "    "    "    and Dade,	60 69 95
"    "    "    "    "    "    Stewart and Webster,	65 82
Resolution relative to tax on spirituous	
liquors for families of	60 72
May vote at all elections	103 118 134 158 275
State to pay for equipments, &c.	103 109 117 145 151
Resolution relative to, in N. W. Virginia,	120
State to re-imburse counties for equipping	145 151 192
To make efficient organizations of	
	131 156 162 163 174 175
Governor to tender to Confederate Gov-	
ment	176 179 182 199 306
Tax for, in Whitfield	194
"    "    "    Ware	233
"    "    "    Coweta	226 230 239
Resolution relative to increasing pay	
of privates	228 232
Resolution relative to officers of State troops	271
 See "Military" and "State Troops."	

## W.

## WARE, HON. J. M.

From the 38th Senatorial District,	
5 47 48 54 78 83 92 96 104 171 197 206 263 281	

## WAR TAX,

To assume and pay Confederate States,	
41 44 45 165 184 192 199 204 211 224	
Inferior Courts may levy tax for soldiers, &c.,	45 97
	108 109 149
Bill relating to the <i>pro rata</i> of each county,	45

## WATER COURSES.

To prevent obstruction of Taccoah river	225 230 235
Ford across Chickamauga Creek	225 229 247
B. P. Key to keep up dam across	
Ocmulgee river	244 252 261
Fishing privileges to persons living on	249 252 264
Protect rights of M. Jones and T. Hardee	267 279 296

## WESTERN &amp; ATLANTIC R. R.

Bill to sell one-third of stock of	41 45
Call for report of	139
Resolutions relative to	142
Reduction of salaries of officers	
151 162 184 191 202 203 204 209	
Resolution relative to freight	198 265 307
Sup't. to issue change bills	253 265 277

WINN, HON. G. A.

From the 22d Senatorial District, 4 47 48 80

WITNESSES,

In criminal cases, paid by party convicted 83 118 129

WRIGHT, HON. J. B.

From the 16th Senatorial District,  
4 47 48 71 109 110 175 223

## Y.

YEAS & NAYS.

On resolution relative to election Confederate  
States Senators, 89

On passage of bill for relief of the banks. &c., 91

" Bill to amend act to abolish impris. for debt, 126

" " " protect estates of Married Women, 135

" Per diem of members of General Assembly, 141

" Bill to incorporate Planters Bank of Ga., 146

" " fixing hours of labor in factories, 151

" " to make efficient Volunteer organizations 162 176

" Passing over Governor's veto bill to fix sal-  
aries of certain officers, 167

" Passing over Governor's veto bill to fix  
compensation of Members, 181

" amendment to bill for relief of banks and  
people, 184 189

" salaries and compensation of certain officers, 199

" Bill to give Justices Courts jurisdiction in  
cases sounding in damages, 201

" Bill to reduce salaries of officers on W. & A. R. R. 210

" Resolution relative to Judges, 232

" Bill to provide for the public defence, 240

" receding from amendment to bill to provide  
for the public defence, 248

" motion to lay on table bill to prevent mo-  
nopolies, extortion, &c., 263

" Appropriation for Military purposes, 273 290

" Bill for the relief of Wm. Earnest, 288

" Appropriation for Charleston, S. C., 290

" Bill to confer banking privileges on J. E.  
Morgan and others, 294

" Bill to constitute Eclectic board of Physicians, 302















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